

Questions and Answers from National SBEAP Main and Technical Group E-mail Lists 2016-Present (Updated through August 2025)

Document overview and instructions for use

This document contains questions, answers, and announcements posted on National SBEAP Listservs from June 2016 through 2025. These entries have been edited to serve as a resource for similar questions in the future and to provide general information. The first section contains questions listed in reverse chronological order, with each followed by answers and responses given. The second section contains announcements, such as federal register notices, training resources, and other general information.

This document is meant to be searched, but both sections also have summaries of items listed under subtopics—for example, questions are divided categorized by media or categorized as SBEAP when they pertain directly to running an SBEAP. Users can also use “control F” to search the document for a specific word or text. This document will be updated annually. Questions or comments can be directed to [Nancy Larson](#).

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Q Rosanne Sanchez, NM Environment Department: 8/7/2025

I'm curious how other states are handling ACIs now that they no longer require a Title V permit? Are they permitted and if so, what is the cost? NM had a TV General Operating Permit for these units. Also, Air Burners sells a piece of equipment for creating Bio Char. The T26, is much like the size of the Burn Boss T24. Has anyone permitted one of these? What type of permit do they have and how much was it? We have a business who recently contacted us. Any help you can give would be appreciated.

A Sherry Waldron, GA Department of Natural Resources: 8/7/2025

Georgia did not issue TVs for ACIs, only synthetic minor permits:

Example permit: <https://permitsearch.gaepd.org/permit.aspx?id=PDF-OP-28820>

Our fee structure can be found here: <https://epd.georgia.gov/air-protection-branch-technical-guidance-0/types-air-quality-permits/air-permit-fees>

We permitted a bio char facility in December 2023 and have another application in house being worked on. Here is the issued permit and narrative:

<https://permitsearch.gaepd.org/permit.aspx?id=PDF-OP-29400>

<https://permitsearch.gaepd.org/permit.aspx?id=PDF-ON-29400>

And the application is attached. It does not look like the same unit but may be similar.

A Diana Steele, TX TCEQ Small Business and Local Government Assistance: 8/7/2025

Two separate air permits may be required to operate an ACI in Texas (I attached our rule guidance updated May 2025):

Texas has a permit-by-rule available for ACIs if they can meet the rule conditions:

[Air PBR 106.496: Air Curtain Incinerators - Texas Commission on Environmental Quality - www.tceq.texas.gov](https://www.tceq.texas.gov/air/pbr/106.496-air-curtain-incinerators)

[Home - Rules & Meetings](#)

The Authorization to Operate (ATO) under General Operating Permit (GOP) 5182 is a Title V federal operating permit (FOP) needed to operate if applicable. If the site does not qualify for GOP 518, a Site Operating Permit (SOP) and case-by-case permit may be required. The permitting process for ACIs requires separate permit applications with different required forms for each permit and are reviewed by different air permitting sections at TCEQ.

Permit fees can vary—for a PBR it can range from \$100 (small business) to \$450. Case-by-case permit applications start at \$900—

More info on fees based on permit types: [Fees for Air Permitting - Texas Commission on Environmental Quality - www.tceq.texas.gov](https://www.tceq.texas.gov/air/fees)

A Jesse Walters, CO Air Pollution Control Division: 8/7/2025

Colorado's current ACI permitting policy is: all ACIs are considered incinerators, and therefore require construction permits (per Colorado Reg. No. 1 III.B.1. and Regulation 3 Part B, II.D.6. all incinerators require a construction permit). I've attached a construction permit here for reference, and here's a link to Colorado SBAP Guidance for Permitting Air Curtain Destructors. The last page of the permit attached has an example Operating and Inspection Log for ACIs. There's been some discussion around developing a general permit for ACIs, but nothing has materialized so far.

Regarding the cost of the permit, the application filing fee is \$363.00, and then the source will get billed an engineering hourly rate of \$180/hr to draft the permit. For air curtain incinerators, I believe these are relatively straightforward, so I don't think they would be billed for more than 4 hours.

I looked in our permit tracking system and did not find anything for the specific model you mentioned, unfortunately.

A Tony Pendola, NC Department of Environmental Quality: 8/8/2025

NC utilized a TV general permit with 10% of the customary fees. I just got a small client an exemption from permitting. The entire job was done in a few weeks and he didn't have time for any Federal requirements.

After I informed DAQ of EPA's relaxation on the TV permits, they began the process of removing the permitting requirements from State regulations. In furtherance of that, there is a public hearing available online at 6pm on the 19th.

<https://www.deq.nc.gov/news/events/public-hearing-amendments-air-curtain-incinerator-rules>

A Camille Fontanella, CT Department of Energy & Environmental Protection: 8/8/2025

Info from the Air Bureau at CT DEEP Regarding Air Curtain Incinerators:

We have yet to permit one in CT. If one were to present, first and foremost it would require an New Source Review (NSR) Permit because typical Potential to Emit (PTE) calculations for the particulate matter (PM) emissions from most designs that folks have inquired about exceed 15 tons per year (tpy), which is the permit applicability threshold. There is the potential for a small enough unit to have less than 15 tons tpy. In that case the unit would be exempt from NSR Permitting....However, historically, based on their design and operation, the units have been deemed to be open burning. Pursuant to Connecticut General Statutes, open burning requires an open burning permit issued by the local open burning official and the materials to be burned are constrained by the requirements of the statute. The restrictions of our open burning statute, have historically, deterred attempts to site ACI because the proponents typically wanted to burn something that violated those restrictions. Consequently, we've never had to write a Title V permit for a unit due to the original OSWI rule and we've never had to address the revised OSWI rules.

Caveat: our disaster management plan may address certain aberrant circumstances (e.g. Super Storm Sandy) in which the State might employ contractors to use ACIs to manage disaster debris.

Air Permitting Rules: see RCSA Section 22a-174-3a(1)(G) for applicability trigger for incinerators

Open Burning Statute: See CGS 22a-174(f):

(f) The commissioner shall allow the open burning of brush on residential property, provided the burning is conducted by the resident of the property or the agent of the resident and a permit for such burning is obtained from the local open burning official of the municipality in which the property is located, and the open burning of brush in municipal landfills, transfer stations and municipal recycling centers, provided a permit for such burning is obtained from the fire marshal of the municipality where the facility is located, except that no open burning of brush shall occur (1) when national or state ambient air quality standards may be exceeded; (2) where a hazardous health condition might be created; (3) when the forest fire danger in the area is identified by the commissioner as extreme and where woodland or grass land is within one hundred feet of the proposed burn; (4) where there is an advisory from the commissioner of any air pollution episode; (5) where prohibited by an ordinance of the municipality; and (6) in the case of a municipal landfill, when such landfill is within an area designated as a hot spot on the open burning map prepared by the commissioner. A permit for the burning of brush at any municipal landfill, municipal transfer station or municipal recycling center shall be issued no more than six times in any calendar year. The proposed permit to burn brush at any municipal landfill, municipal transfer station or municipal recycling center shall be submitted to the commissioner by the fire marshal, with the approval of the chief elected official of the municipality in which the municipal landfill, municipal transfer station or municipal recycling center is located. The commissioner shall approve or

disapprove the fire marshal's proposed permitting of burning of brush at a municipal landfill, municipal transfer station or municipal recycling center within a reasonable time of the filing of such application. The burning of leaves, demolition waste or other solid waste deposited in such landfill shall be prohibited. The burning of nonprocessed wood for campfires and bonfires is not prohibited if the burning is conducted so as not to create a nuisance and in accordance with any restrictions imposed on such burning. Nothing in this subsection or in any regulation adopted pursuant to this subsection shall affect the power of any municipality to regulate or ban the open burning of brush within its boundaries for any purpose. Notwithstanding any other provision of this section, fire breaks for the purpose of controlling forest fires and controlled fires in saltwater marshes to forestall uncontrolled fires are not prohibited. Open burning may be engaged in for any of the following purposes if the open burning official with jurisdiction over the area where the burning will occur issues an open burning permit: Fire-training exercises; eradication or control of insect infestations or disease; agricultural purposes; clearing vegetative debris following a natural disaster; and vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space. Open burning for such purposes on state property may be engaged in with the written approval of the commissioner. Local burning officials nominated for the purposes of this subsection shall be nominated only by the chief executive officer of the municipality in which the official will serve and shall be certified by the commissioner. The chief executive officer may revoke the nomination. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, governing open burning and may authorize or prohibit open burning consistent with this section. The regulations may require the payment of an application fee and inspection fee and may establish a certification procedure for local burning officials.

A Emily Ohde, MN Small Business Environmental Assistance Program

In Minnesota, ACIs burning only wood waste, clean lumber, and/or yard (in accordance with NSPS EEEE), would seemingly have the ability to obtain a state permit (non-Title V). While this cuts the base cost of a permit from \$21,375 to \$14,250, it would remain an individual state permit. However, Clean Air Act, Section 129, US code 7429, (a)(1) NSPS for solid waste incineration units are required under this citation. Currently by our Minn. R. 7007.0200, subp. 4(C), a Part 70 (Title V) is required if subject to one of these NSPS.

We have seen an uptick in interest regarding biochar and, if using an ACI – what standards, if any, may apply. The applicability seems to come down to the material processed and whether it is considered a solid waste.

Are materials used to make biochar considered discarded/solid waste?

EPA Fact Sheet on Clean Cellulosic Biomass and Non-Hazardous Secondary Materials Determinations

Clean cellulosic biomass consists of residuals that are equivalent to traditional cellulosic biomass (i.e., harvested, plant-derived organic matter). Clean cellulosic biomass is considered “**clean**” when it contains contaminants at concentration levels no higher than those normally associated with virgin biomass material.

- Clean cellulosic biomass definition: eCFR :: 40 CFR Part 241 -- Solid Wastes Used as Fuels or Ingredients in Combustion Units

Clean cellulosic biomass is **considered equivalent to traditional fuels. Is not considered secondary material or a solid waste when burned as a fuel, unless discarded.**

- If managed separately from solid waste and is going to be burned for energy recovery would not be considered “discarded.”
- Yard trimmings, leaves, branches, and other plant material collected separately from

municipal solid waste to be converted to alternative fuel would not constitute “discard”. “Clean cellulosic biomass that is processed to make a biochar product using pyrolysis or a similar process would not be considered discarded and would not be a secondary material or solid waste for the purposes of the Clean Air Act. Biochar produced from clean cellulosic biomass is considered a “traditional product” for the purposes of the regulations found at 40 CFR Section 241.3(d)(2)(iv).”

“Cellulosic biomass that has been mixed with solid waste, such as municipal solid waste or construction and demolition debris, or that has been disposed of (e.g., buried in a landfill), would be considered “discarded.” Units combusting these co-mingled materials would be regulated as solid waste incinerators, unless the material is sufficiently processed and meets the legitimacy criteria for non-waste fuel in 40 CFR Part 241. A solid waste incineration unit may be regulated under CAA Section 129. Refer to additional details on CAA applicability in 40 CFR Part 60. For a detailed explanation on how to make a non-waste fuel determination under 40 CFR Part 241, read the Non-Hazardous Secondary Material Guide for Waste/Non-Waste Determinations (pdf)(685 KB).”

Revisiting permitting where, by our Minn. R. 7007.0200, subp. 4(C), a Part 70 (Title V) is **required *if subject*** to one of the ACI NSPS. Although, if the ACI **does not burn a solid waste**, then it isn’t subject as a municipal or solid waste incineration unit.

Q Leena Divakar, KS Pollution Prevention Institute: 4/25/2025

I'm looking for a Potential to Emit calculator specifically designed for laser wood cutting. If anyone has one or knows of a resource that could help, please let me know.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 4/28/2025

83768254 (Title V administrative amendment – February 20, 2025) – page 89 of 101 or page 18 of 27 of the technical support document (TSD) in Appendix A is the particular matter calculation methodology for woodworking and laser cutting which is based on the determination of the quantity of wood dust lost due to cutting.

83403442 (Minor Source Operating Permit (MSOP) renewal – December 15, 2022) – page 38 of 49 or page 3 of 10 of the TSD in Appendix A is also based on material lost due to cutting.

83389294 (MSOP 30-day period for public comment – November 7, 2022) – page 38 of 51 or page 3 of 10 of the TSD in Appendix A is also based on material lost due to cutting.

The spreadsheets pertaining to the use of plasma and laser cutting of which I have a few are based on cutting metal.

It would seem that a focused beam would emit much less particulate matter than using a saw, e.g., circular saw. Cutting speed might be lower making the use of a blade more typical. The use of a laser might be beneficial where precision involving an intricate design is necessary. If you find such a calculator, please share.

Q Paula Houg, EPA Office of Small Business Programs: 3/13/2025

My program is reviewing and updating its trade association contact list, while we do so, I would like to get a sense of which trades you work most with (or cross paths most frequently) when engaging on regulated small business issues within your state.

Any suggestions on the top 3-5, or even top 10, most impactful trades you’ve worked with recently?

A Mark Stoddard, IN Compliance & Technical Assistance Program: 3/13/2025

Gary Jones, VP, EH&S Affairs, Printing United Alliance has spoke to Technical in the past and will be doing so again on July 15.

Gary has helped me to develop and refine a presentation given to Graphic Arts students at Ball State University on Sustainability in the Graphic Arts Industry, most recently in September of

last year.

There has been some preliminary discussion on adopting a WI Green Tier like program or folding something similar into our existing Indiana Environmental Stewardship program (modeled after Performance Track). The WI program is a state and local Great Lakes Graphics Association (GLGA – WI, IL & IN) partnership. Engaging in this endeavor will require more input from both the national and local printing associations.

Q Sara Johnson, NH Department of Environmental Services: 3/12/2025

<https://nationalsbeap.org/sbeap/annual-report>

The link to the online survey and link to the pdf for your records are on this web page. If you scroll down, you can read past reports.

A couple of questions that have come up recently:

1. Where does the data go?

Raw data goes to Iowa. The Education Annual Survey workgroup will review the data. Aggregate data is sent to Kansas to draft the annual report.

The data is not used to compare state to state programs. The data is used to show that we are a community of small business environmental assistance programs. Together we are doing great work.

2. What do you do with the final report?

Report is posted online and shared on National Steering Committee listserv. States can use the data for promotional purposes. The Education Subcommittee will use the data to look for trends and how to support our programs. Case studies and other submitted data can be used for storytelling.

If you are unable to submit data, please answer the questions including contact information. These questions help us to target potential training opportunities and other educational/promotional efforts.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 2/28/2025

I know this is a perennial question, but does anyone have examples or can share the language of confidentiality for SBEAPs that have actually been put into regulation or actual rules? Not necessarily MOUs or similar, but actual legislative language.

A Bonnie Rouse, MT DEQ: 2/28/2025

Montana MCA 75-21-109(3)

https://archive.legmt.gov/bills/mca/title_0750/chapter_0020/part_0010/section_0090/0750-0020-0010-0090.html

A Mark Stoddard, IN Compliance & Technical Assistance Program: 3/1/2025

<https://iga.in.gov/laws/2024/ic/titles/13#13-28-3-4>

A Jeremy Scoles, OH Small Business Environmental Assistance Program: 3/3/2025

Ohio:

ORC 3745-017(C)

<https://codes.ohio.gov/ohio-revised-code/section-3745.017>

ORC 3704.18(A)(7)

<https://codes.ohio.gov/ohio-revised-code/section-3704.18>

ORC 3706.19(C)(6)

<https://codes.ohio.gov/ohio-revised-code/section-3706.19>

R Crystal Warren, TN Small Business Environmental Assistance Program: 5/14/2025

The Tennessee SBEAP wanted to follow up with everyone regarding our previous request relating to states that have confidentiality provisions or other language ensuring that information shared by small businesses with your SBEAP will not be used for agency enforcement actions (see below request from Donovan). In response to our original request, we heard from Ohio, Indiana, Iowa, and Montana that they have this language in state statute. I also received a copy of Colorado's program codification language. Are there any other states that have similar language in state statute?

Additionally, we are interested to understand if any programs have empirical evidence that supports the adoption of confidentiality / information sharing protection from regulatory programs? This may be in the form of general surveys of industry, data relating to assistance provided by programs before and after adoption of these provisions, or anything else that may reflect support from industry in government assistance providers protecting information from use against them.

We greatly appreciate everyone's consideration of our questions, any and all information you can provide would be immensely valuable in supporting the Tennessee SBEAP in a project we are working on. If folks could kindly respond by COB Friday, May 16, we would be grateful for your contributions!

A Troy Johnson, MN Pollution Control Agency, 5/14/2025

Minnesota's confidentiality is in an MOU and not in statute. Also, I am not aware of any data that shows support or opposition to confidentiality. Since Minnesota established its MOU in the 1990's, there is a chance that there may be letters of support/similar stashed away somewhere in the files.

However, it is more likely that Minnesota moved in this direction due to an EPA memo from the 1990's that gave SBEAP two options 1) establish confidentiality from regulatory programs or 2) establish a 90-day violation correction period.

A Nancy Herb, PA Department of Environmental Protection, 5/14/2025

The Pennsylvania Air Pollution Control Act (APCA) addresses the confidentiality of small business information in Section 7.7 (Small Business Compliance Assistance Program) and Section 7.9 (Small Business Ombudsman). Pennsylvania does utilize the flexibility in Section 7.7(b) to provide small business compliance assistance services by contracting with a third-party consultant (EMAP).

Section 7.7 Small Business Compliance Assistance Program.

Section 7.7(a)(9) Procedures for assuring the confidentiality of information received from small business stationary sources.

Section 7.7(a)(10) Procedures for conducting confidential, on-site consultations with small business stationary sources regarding applicability of compliance requirements.

Section 7.7(b) The department shall evaluate the feasibility of contracting with consultants to administer all or part of the Small Business Stationary Source Technical and Environmental Compliance Assistance Program. A third-party consultant will act as a source of confidential support for small business if one is selected by the department. ((b) amended Dec. 18, 1996, P.L.1150, No.174)

Section 7.9 Small Business Ombudsman.

(a) There is hereby established an Office of Small Business Ombudsman within the Department of Environmental Protection for the purpose of serving as the confidential primary point of contact for small business on issues relating to compliance with this act and the Clean Air Act.

Link to entire PA APCA: [Act of Jan. 8, \(1960\) 1959,P.L. 2119, No. 787 Cl. 35 - AIR POLLUTION CONTROL ACT](#)

A Beatriz Milne, CT Department of Energy and Environmental Protection, 5/14/2025
CT has a section relating to confidentiality in our statutes. [Section 1-210 of the CT General Statutes.](#)

A Leena Divakar, KS Pollution Prevention Institute: 5/15/2025
Kansas Statutes do not contain explicit language guaranteeing the confidentiality of information shared by small businesses with the program or preventing its use for agency enforcement. According to the statute the Small Business Assistance Program as per the statute primarily focuses on support and incorporates mechanisms like an ombudsman and compliance audits. This topic has come up in the past on Main. Please refer to the attached [Q and A document](#) in [SBEAP Resources](#), where we have compiled answers to common questions and answers we've received. I hope the document helps.

A Bob Randolph, MO Department of Natural Resources: 5/15/2025
Missouri Air Conservation Law {Chapter 643 of the Revised Statutes of Missouri (RSMo)}, as well as Small Business provisions included within, do not include explicit confidentiality provisions specific to state SBEAP functions. However, Revised Statutes of Missouri (RSMo) do include the following related excerpt – “To the maximum extent possible, the (SBEAP) program shall be functionally separate from the department's air pollution enforcement responsibilities.” Excerpt above is pursuant to section 643.173, RSMo (Please reference second sentence at <https://revisor.mo.gov/main/OneSection.aspx?section=643.173&bid=31167&hl=>) Further, Missouri regulation addresses formal Confidential Business Information situations, though provisions are not exclusive to Small Businesses. Please reference Missouri Code of State Regulations (CSR), specifically 10 CSR 10-6.210 *Confidential Information*, beginning on Page 36 of 48 pages at <https://www.sos.mo.gov/CMSImages/AdRules/csr/current/10csr/10c10-6b.pdf> I do not have empirical evidence/data, per your request for additional confidentiality details.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 2/20/2025

Has anyone dealt with a lithium battery manufacturer? We have one coming in that has a module that appears to be a pass-through system for taking mostly pre-assembled components for final assembly with a cleaning step, dosing and gluing, and then welding. Thought I would ask around in case someone else had handled something similar and had some insights into any additional emission points for such a process and any rules that might be relating to it or emission factors. In the absence of such, going to be treating the cleaning, dosing, and gluing as a standard coating process and then welding as normal.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 2/20/2025
I do not have any insights, merely access to an online air permitting database. With regards to a stationary lithium battery manufacturing facility:
EnPower - <https://permits.air.idem.in.gov/45785f.pdf>
StarPlus Energy - <https://permits.air.idem.in.gov/47628f.pdf>
IDEM has determined that JWA CO., LTD. and StarPlus Energy LLC are under the common control of Samsung SDI America and Stellantis.
The link to the StarPlus permit contains many more pages as it was considered a significant permit modification.

Section A of the permit contains the description of significant and insignificant activities. A TSD (Technical Support Document) is usually included following the permit which gives details on how the application was evaluated.

Appendix A includes emission calculations.

If you find any insights regarding the intricate details of Lithium battery manufacturing, please share them.

As a follow-up, I found the link to a 479 page air permit application dated December 21, 2023 - [83574296](#). There are no indications that a permit was issued. You may find what you are seeking referenced in the table of contents. There are several pages of emission calculations.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 12/12/2024

As this is an occasional question, but hadn't been asked in a while, are there any NEW wood waste calculators for sawmills? I've been using the Oregon one, but the more I look at it, the less I like it and feel that the units are wrong, which is leading to really bad calculations at the heart of it. And Tony says don't use the NC one, use the OR one instead... Yet, NC is the only one we have listed in our State Tools (<https://nationalsbeap.org/compliance/air/tools-by-state> in case you want to see all the great calculators and state tool resources!).

And if there aren't... could we sweet talk CO into using some of their research funds to create a new one that is versatile for cyclones, baghouses, and just no controls for each general type of process?

Q Jeremy Hancher, PA Widener University SBDC EMAP Program: 9/06/2024

I know this is likely a shot in the dark, but I'm curious if anyone has a copy of stack test results for a Matthews IEB-20 animal crematory incinerator from within the last 5 years. If so, would you be willing to share?

I found permitted or exempted IEB-20 units in other states but could not track down any source test results, mostly just AP-42 calculations in respective permit evaluation documents.

Q Allison Hall, KY Environmental Compliance Assistance Program: 9/06/2024

I am working on an air permit application for a wood pellet facility that will use hardwood for its feedstock. I was curious if anyone has any uncontrolled stack test results/ emission factors specifically for pellet facilities that use hardwood feedstock only since all the VOC/HAP data we have is for softwood. (Historically, VOCs have been assumed to be negligible except from drying. Also, hardwood emission should be less than softwood.)

Specifically looking for VOC hardwood emission factors for green hammermills, wood dryers, dry hammermills, and pellet mills/coolers.

A Tony Pendola, NC Department of Environmental Quality: 9/6/2024

If your client is a member of <https://www.ncasi.org/>, they may be able to get proprietary emission factors from them.

Q Jennifer Feverherm, WI Department of Natural Resources: 7/22/2024

Does anyone know of federal regulations that require foundries to submit data about their energy use?

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 6/10/2024

Has anyone developed a short overview of requirements for different types of Oil and Gas wells from the EPA Small Business Guidance? I've looked on a few states and haven't necessarily seen one so far. Mostly looking at really small wells, such as individual level owners that have a gas well that might supply NG directly to their house.

Q Lee Ann Briggs, PA University of Pittsburgh Small Business Development Center: 5/24/2024

I have a client that uses HVLP gun(s) and filtration in their paint spray booth. Several of their primers contain strontium chromate (Cr), which is a HAP. These are MIL-SPEC paints. The local regulatory agency's "Air Toxics Review" guidance provides that "*for hazardous air pollutant (HAP) metals the de minimis level is 20 lbs per year total*". In other words anything over 20 lbs would require an operating permit. Would transfer efficiencies of the HVLP gun and/or paint booth filtration apply for this HAP?

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 5/24/2024

As a surface coating of metal parts, would this fall under the 6H rule? Many states would require an operating permit if a facility is subject to a Federal rule, regardless of local requirements. Transfer efficiency and filtration is not usually taken into account in relation to volatiles. Those would affect particulates. As strontium chromate would not be in the volatile section of the coating, an argument can be made for the transfer efficiency and filtration to be applied towards this particular HAP. However, most air programs might also ask for the worst case scenario that does not include reductions via filtration. Overall, Cr is about 25.53% of SrCrO₄. So, the SrCrO₄ can just under 0.4% of the overall coating and not be subject to 6H or similar rules (I can't remember if military spec has an exception... it may). This may be a question to pose to your air regulatory group or look back on other assistances to see if and how they apply filtration to HAPs in the particulates as opposed to volatile fraction of a coating.

A Belinda Breidenbach, ID Small Business Development Center: 6/4/2024

We always think of NESHAP 6H but if this coating is being used in the aerospace Industry also check the applicability of NESHAP GG.

Spray application of coatings containing compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd), collectively referred to as the target HAP to any part or product made of metal or plastic, or combinations of metal and plastic that are not motor vehicles or mobile equipment.

Target HAP containing coating means a spray-applied coating that contains any individual target HAP that is a carcinogen at a concentration greater than 0.1 percent by mass, or greater than 1.0 percent by mass for any other individual target HAP compound.

Q Sara Johnson, NH Department of Environmental Services: 4/02/2024

Does anyone have a State SBEAP/SBO mission? Goals? Strategic Plan?

I create an annual workplan. I have a fact sheet on the basic overview of SBTAP. I collect all sorts of data for annual reports. I have standards of operations. What I don't have is a document that clearly states the Program's mission or goals. For example, I could say 1 goal is outreach, 2 partnerships/networking, 3 sector projects. Then list the various tasks under each goal. Administrator is asking me to create a document to control mission creep and to deter other programs trying to task me with new projects. Please share some examples.

A Nancy Larson, KS Pollution Prevention Institute: 4/2/2024

From <https://www.sbeap.org/about>

Vision: The Pollution Prevention Institute's vision is for a healthy Kansas environment that fosters equitable environmental sustainability and economic growth.

Mission: The Pollution Prevention Institute's mission is to protect public health and promote sustainability through environmental education and services to industry, institutions, and communities.

The Small Business Environmental Assistance Program's mission is to help Kansas small businesses comply with environmental regulations and identify pollution prevention opportunities.

Statement of Environmental Commitment

- https://www.sbeap.org/sites/sbeap/files/publications/tools/2023_PPI_Stmt_EnvironmentalCommitment.pdf

K-State utilizes annual workplans and SOPs (examples attached). Our SBEAP goals vary based on our state negotiated contract to complete specific outreach, training, tool development and technical assistance projects.

A Tony Pendola, NC Department of Environmental Quality: 4/4/2024

Mission: To assist small businesses with air quality and other regulatory requirements, encouraging environmental compliance and stewardship.

What We Do: As part of Section 507 of the Clean Air Act Amendments, as amended in 1990 (CAAA), the U.S. Congress mandated that each state/territory establish a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) to assist small businesses in complying with the requirements of this Act through state operated programs. Each SBTCP, also commonly referred to as "Section 507 programs," is required to include the following components: Small Business Ombudsman (SBO), Small Business Assistance Program (SBAP)

Small Business Ombudsman (SBO): The state/territory SBOs serve as the small business community's representative where small businesses are impacted by the CAA. The SBO's key responsibilities may include: Review and provide recommendations to EPA and state/local air pollution control authorities regarding development and implementation of regulations impacting small businesses. Assist in dissemination of information about upcoming air regulations, control requirements, and other matters relevant to small businesses. Refer small businesses to appropriate specialists for help with specific needs. Conduct studies to evaluate the effects of the CAA on state and local economies, and on small businesses generally.

Small Business Assistance Program (SBAP): The SBAPs should provide sufficient communications with small businesses through the collection and dissemination of information to the small businesses on matters of: Determining applicable requirements under the Act and permit issuance. The rights of small businesses under the Act. Compliance methods and acceptable control technologies. Pollution prevention and accidental release prevention and detection. Audit programs.

<https://www.deq.nc.gov/about/divisions/environmental-assistance-and-customer-service/small-business-environmental-assistance/ombudsman-assistance-program>

A Gina Gambacorto, NJ Department of Environmental Protection: 4/4/2024

The only mission statement NJ's program has is from the Bureau of Sustainability we are housed under: "Sustainability is the nexus of environmental, economic and social responsibility, and nowhere is that need more important than in energy usage and resource conservation. How we use energy and manage our resources affects everyone, and has far reaching impacts on our public and private economy, our environment and our social conscience. The mission of the Bureau of Sustainability is to create opportunities to promote and implement sustainability principles and programs that support New Jersey's communities and businesses. These sustainability efforts work toward achieving the State's legislatively mandated reduction of greenhouse gas emissions by 80% from their 2006 levels by 2050, as well as reaching the 60% total solid waste recycling goal and its 50% municipal solid waste recycling goal."

From there the information we have hosted specifically about NJ SBEAP is: Small Business Assistance Program: The Small Business Assistance Program (SBAP) helps New Jersey's small businesses understand the complex world of environmental regulation. The services that we provide include the following:

Consultations: Provides consultations on the phone, by e-mail or on-site, where we discuss how State and Federal environmental rules and permits may apply to your particular situation.

Referrals: Has access to engineers, scientists and environmental specialist who can help you with your environmental questions or concerns.

Guidance Documents: Develops and distributes guidance documents to help small business comply with environmental regulations and permits.

Education & Outreach: Provides seminars, workshops, and on-site training, on a range of regulatory topics that help small businesses stay-in and go beyond compliance.

Fostering Innovation: Supports innovative ideas which help small businesses improve energy efficiency, resource conservation, pollution prevention, and sustainability.

The SBAP was created by the Clean Air Act Amendments of 1990, which also established a Small Business Ombudsman, and a Small Business Compliance Advisory Panel.

Q Belinda Breidenbach, ID Small Business Development Center: 4/1/2024

Are any SBEAPs co-located or collaborating with your state Manufacturing Extension Partnerships?

<https://www.nist.gov/mep/centers>

A Nancy Larson, KS Pollution Prevention Institute: 4/1/2024

Kansas is not collocated and although we have collaborated with the MEPs in the past, I see the location is now in KC, KS area and we should reach out and learn more about their current work going forward.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 4/1/2024

The Indiana MEP is affiliated with Purdue University - <https://mep.purdue.edu/> - and are engaged in a variety of activities including training. A subset of their training catalog includes sustainability and energy efficiency. One of the four offerings is 'Waste Stream Mapping.'

Closely affiliated with the Indiana MEP is the Purdue Technical Assistance Program (TAP) - <https://tap.purdue.edu/>. The Purdue TAP offers aspiring students the opportunity to engage in problem solving and design. I do not believe that the Indiana MEP/Purdue TAP engages in environmental compliance assistance. However, CTAP (Compliance & Technical Assistance Program) has engaged with the Indiana MEP to take the three-day ISO 14001:2015 internal auditor training.

A Eleanor Divver, UT Small Business Assistance: 4/1/2024

Utah collaborates with our MEP extension. [Utah MEP](#). Steve Black coordinates the program.

A Bonnie Rouse, MT Department of Environmental Quality: 4/1/2024

Montana's MEP is located at MSU-Bozeman and DEQ is in Helena, so we're not co-located. We do work with our MEP pretty often and are currently partnered on a DOE grant for "Smart Manufacturing Montana." The grant will provide outreach and training on technologies available to improve manufacturing processes and will also seed a workforce development program at Highlands College in Butte. <https://news.mt.gov/Department-of-Environmental-Quality/Montana-Awarded-Federal-Grant-to-Assist-Manufacturers-with-Advanced-Technologies-to-Improve-Facility-Operations-and-Efficiency>

A Michelle Jacobs, DE Department of Natural Resources and Environmental Control: 4/2/2024

Delaware's SBEAP is not co-located with the Delaware MEP that operates through the Delaware Technical Community College, and during my time as SBO, we have not yet

collaborated on any projects. Some of the MEP field staff and I occasionally attend the same outreach events so we do know each other. I wouldn't really call it 'collaborating,' but I can think of a few times over the years where we have referenced each other's program to a business that we were working with.

R Mark Stoddard, IN Compliance & Technical Assistance Program: 4/2/2024

It seems that as MEP (<https://www.nist.gov/mep/centers>) is related to NIST that IAC (<https://iac.university/>) is related to DOE and both the MEP and IAC may be doing similar, but not identical work

Q Jennifer Feyerherm, WI Department of Natural Resources: 2/1/2024

I'm looking for some other examples of annual reports or summaries. Wisconsin uses the National SBEAP annual report as a template to put out our own one-page summary/annual report each year. I just ran into one from NH in our files. Does your state put out any short (1-2 page) summary of the services you have provided (separate from what you provide for the National Annual Report)? If so, might you be willing to send the most recent along? I would find them useful for a project I am working on, and I will also share with the National Metrics work group because I know we would find them useful as well.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 2/1/2024

TN has ours posted on our front page of the website section we have our information on. Scroll down a little and it is in the center box. We're probably needing to revise the front page to make that information more visible. <https://www.tn.gov/environment/sbeap.html>

Q Jennifer Feyerherm, WI Department of Natural Resources: 1/25/2024

Our wastewater program asked if I could see if anyone in other states is familiar with a product called EutroSORB WC: Our program is working through a request to use EutroSORB WC for in-stream phosphorus inactivation. Link below. This is a new product and has been used in some other states. We are in the first steps of our process, but I'd like to be prepared should we pass through the first step.

[EutroSORB WC | Water Column Phosphorus Inactivator](#)

If you or any of the water folks you work with have any familiarity with this product, could you please let me know?

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 11/14/2023

Has anyone had to determine emissions from an electric smokehouse? If so, could you let me know what emission factors you used and the process?

A David Stroh, ND Department of Air Quality: 11/15/2023

Maybe a place to start: AP 42, Fifth Edition, Volume I Chapter 9: Food and Agricultural Industries <https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-fifth-edition-volume-i-chapter-9-food-and-0> 9.5.2 Meat Smokehouses
<https://www.epa.gov/sites/default/files/2020-10/documents/c9s05-2.pdf>

Q Belinda Breidenbach, ID Small Business Development Center: 11/14/2023

Does anyone have resources with more current test results of spray paint transfer efficiency?

I am looking for data for more accurate transfer efficiencies for spray painting. My current project is with a high efficiency airless spray gun. The AP42 transfer efficiencies were determined back in the 1970s. The HVLP and high efficiency airless did not exist at that time. Spray guns have dramatically improved efficiency. The manufacturer gives the difficult to use information that they are 55% higher transfer efficiency than the old product.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 11/14/2023

I think MI or MN had a good document that was more recent on their website. HVLP is typically about 65% transfer efficiency according to that.

Here's one that I found which was referenced by MI

<https://www.aqmd.gov/home/permits/spray-equipment-transfer-efficiency>

A Mark Stoddard, IN Compliance & Technical Assistance Program: 11/14/2023

With regards to Indiana's RACT rule for automobile refinishing, application equipment is limited to electrostatic, HVLP and HVLP equivalent. Equivalency is based on achieving at least 65% transfer efficiency. It seems that the SC AQMD standard is 65% or better and assumes that HVLP adheres to this minimum. None of the approval letters state how much better.

R Belinda Breidenbach, ID Small Business Development Center: 11/14/2023

I have two studies that specifically used HVLP spray guns. One had a range of transfer efficiencies between 84% and 98%. The higher the transfer efficiency the closer the gun was to the part. The other had a transfer efficiency between 82% and 97%. One study was in 2000, the other in 2002. Both of these exceed the 65% that we default to. High efficiency airless sprayers are lacking in data. I cannot find a different study or get access to that one journal reference.

R Mark Stoddard, IN Compliance & Technical Assistance Program: 11/14/2023

It is older information from paintcenter.org ask the expert (Ron Joseph)

<https://www.paintcenter.org/rj/apr04c%202.php> and <https://www.paintcenter.org/rj/aug10a%202.php> are some examples when searching using the terms "transfer efficiency." <https://www.paintcenter.org/msr.php>

R Nancy Larson, KS Pollution Prevention Institute: 11/15/2023

Jennifer Wittenburg with Iowa may be able to connect you with the Star painter training program the DOD uses. They should have data.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/26/2023

Had a question come up in a meeting if anyone has some technical resources relating to the conversion of an internal combustion engine in a vehicle to an electric engine. Overall, not sure what the regulations might be or if there are even any, what standards there may be, or similar. So, if anyone has resources or had this question come up, please let us know!

Q Lee Ann Briggs, PA Institute for Entrepreneurial Excellence: 9/8/2023

Looking for some help with plasma cutter emissions. I use the "Swedish Institute of Production Engineering Research Study". The study is very old and not very precise. Wondering if anyone is aware of any more recent studies related to emission factors? Or suggestions for more accurately calculating emissions? Is anyone aware of any acceptable reductions for indoor cutting with plasma cutters?

A Leena Devakar, KS Pollution Prevention Institute: 9/8/2023

Attached is the PTE calculation from Thurston Manufacturing Company and they follow Broman B. et al, the explanations are good though. The document shows how to calculate PM, NOx and Mn emissions from plasma cutting.

https://www.epa.gov/sites/default/files/2016-02/documents/tsd_appendix_pte-ei_thurston_mfg_co.pdf

A Mark Stoddard, IN Compliance & Technical Assistance Program: 9/11/2023

Upon searching <https://www.in.gov/idem/legal/public-records/virtual-file-cabinet/> and clicking the 'Virtual File Cabinet' link at the center of the page, then using "plasma" in the "full-text search" box, then clicking on search, one can obtain a large number of results which can be

pared down using the filter categories towards the top of the page – OAQ within the “Program drop down menu” then Permit within the “IDEM Document Type” drop down menu.

Unfortunately, there does not seem to be a means of sorting document dates from newest to oldest and supporting documentation seems to be included as well which means opening and closing out of several documents before reaching a permit with the desired information.

One of the links is to an MSOP (Minor Source Operating Permit) Significant Permit Revision issued December 21, 2022 to Kloeckner Metals Corporation - 83406164.

On page 41 of 52 of the document, which is also page 3 of 10 of the technical support document, are the potential to emit calculations for metal cutting including plasma cutting. The calculation methodology is noted on the page as well as references.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 9/11/2023

Here is a spreadsheet for plasma and laser cutting from KS I believe. Would need to select type of cutter, type of metal (a few choices given so select closest), include kerf, and speed of cut and it will calculate the PM emissions.

[Potential to Emit \(PTE\) Calculation Spreadsheets | SBEAP](#)

R Belinda Breidenbach, ID Small Business Development Center: 9/13/2023

I've been using that same plasma cutting spreadsheet. Our environmental intern, Pia, has been working on the spreadsheet. It would be great to incorporate the new data. The spreadsheet only calculates for PM.

Q Nancy Larson, KS Pollution Prevention Institute: 8/4/2023

Has your program or state created a recent guidance document for standby generator UST guidance document? If yes, can you please share?

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 8/3/2023

Has any state created a general permit or other options for Air Curtain Incinerators/Destructors that make it easier or otherwise collect the five or so rules that affect ACIs?

A Jennifer Lipkin, NV Department of Environment and Sustainability: 8/3/2023

Clark County NV has two, recently constructed ACIs that “only combust 100% wood waste, 100% clean lumber, 100% yard waste, and/or a mixture of only these three constituents.”

The issued permits only reference 40 CFR Part 60, Subpart CCCC.

Because of the material being combusted and the fact that the sources were constructed in the last 10 years, they are not subject to DDDD, EEEE, or FFFF. Since there are only two of these minor Part 70 sources, the department hasn't created a general permit for this category.

R Anne Keller, NE Small Business Environmental Assistance Program: 8/3/2023

I'm not entirely sure what you're asking. Do you want to know if a state has developed some type of a guidance document for assisting ACIs with federal reporting requirements? Or are you looking for some type of a sheet that summarizes the federal requirements for ACIs? Or something else?

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 8/3/2023

I believe I am mostly looking at if a state has developed something aside from standard permitting of ACIs. In TN we are deep in the discussion of such because of a municipality. The issue is that Subpart AAAA for ACIs does not allow for the combustion of clean wood due to it not fitting into the definition of yard waste. And because of that, they should be subject to all the requirements of AAAA rather than just the ACI section. However, Subparts CCCC and EEEE

do include wood waste in their ACIs, but both require an ACI to be a Title V source, which is usually construed to mean a major source and the fee difference is significant. Neither being subject to all AAAA requirements when the other two rules allow for wood waste, nor being a Title V source under CCCC or EEEE when AAAA does not require Title V permits is ideal.

A Eleanor Divver, UT Small Business Assistance: 8/3/2023

I am working with a small business that is trying to get an air curtain burner up and running. Because it is an incinerator it is being considered a Title V permit. Costs from our AQ Division are: \$2300 for 20 hours of work for a review fee and a filing fee of \$500; however, if the source is a major PSD source, the filing fee is \$5,000. In addition, if the source is being permitted due to unpermitted equipment through compliance, the filing fee is \$1,500.

A Tony Pendola, NC Department of Environmental Quality: 8/3/2023

We have a general permit and charge only 10% of the normal fee.

<https://www.deq.nc.gov/environmental-assistance-and-customer-service/permit-handbook-documents/2016-revisions/daq-general-title-v-aci-air-permit/download>

A Nancy Larson, KS Pollution Prevention Institute: 8/3/2023

As an FYI - Here is an [archive](#) (pg 14) of a similar discussion about air curtain incinerators from 2021.

Q Christine Paulson, IA Small Business Air Quality Liaison: 7/27/2023

Does anyone know where I can find the definition of "small business concern" as referenced in the CAA section 507, which refers to the definition in the U.S. Small Business Act? On our Iowa DNR website, we had a link to the Small Business Administration page that provided a link to the Small Business Act. This link is now apparently broken. I did a search on the Administration's website and came up empty.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 7/27/2023

One issue with the SBA definition is that it is variable. I found this page that provides a table of size standards which is either the number of employees or annual receipts that represents the largest size a business can be to still remain a small business for SBA and Federal contracting purposes: <https://www.sba.gov/document/support-table-size-standards>. As the SBA notes, the definition varies by industry. This page also had a link to the Electronic Code of Federal Regulations, which sounds like the link that you may have had. Here is the link to the eCFR: <https://www.ecfr.gov/current/title-13/chapter-I/part-121#121.201>
<https://www.govregs.com/uscode/15/632>

A Christopher Lynch, NE Business Environmental Program: 7/27/2023

I don't recall that section 507 actually refers to the US SBA small business definitions. One of the things I've always found a bit confusing is that the Clean Air Act uses its own definition of "small business stationary source" in section 507 which is different from US SBA definitions. See attached link to the statutory language and review subsection (c)(1): <https://www.law.cornell.edu/uscode/text/42/7661f>.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 7/27/2023

There is a reference in (C) Eligibility (1)(B). However, their definitions are so different from the Section 507 of 100 employees and 50 tons/year or less of a single regulated pollutant and 75 tons/year or less of all regulated pollutants that it would really only come into effect for those that are monetary based. For example, a grape vineyard that makes over \$4 million/year due to

perhaps tourism or winery sales (though that might be in another section), yet only has 20 or so employees. That would meet our definitions under 507, but be a large business under SBA.

There is also the issue that (c)(1) says both not a major stationary source and also 50 tons/year of a single pollutant and 75 tons/year combined. That is fairly redundant as a major source would typically be 100 tons/year and above. It may have been included for those Conditional Major sources, but that seems to be splitting hairs some.

I feel the clearest way and easiest for most businesses to determine is 100 employees or less and not a major source of emissions (I also tack on not a Large Quantity Generator of hazardous waste, though that is not in the 507 definition).

A Jeremy Hancher, PA Small Business Development Center: 7/27/2023

I found this which seems pretty good at explaining small business size definitions and what a small business concern is. <https://home.treasury.gov/system/files/271/SBA-Small-Business-Compliance.pdf> It seems like a handy reference guide even though it's listed on the treasury's website. Looks like Donovan already provided a link to the CFR definition which the guide also mentions.

Q Kari Clevenger, IN Department of Environmental Management: 6/15/2023

Does anyone have experience what emissions are potential for thermal battery testing facilities? Looking for potential emissions and source of emissions. The facility in our state has indoor testing and would like to expand to outdoor testing.

Q Cris Brazil, KS Small Business Environmental Assistance Program: 5/17/2023

K-State's PPI at Region 7 is organizing EJ community events that will take place at the end of the year, and we were wondering if anyone has done this type of event before. If yes, would you mind sharing what worked and what didn't, and if you could share the agenda you had for the event, that would be great.

Q Renee Bashel, WI Small Business Environmental Coordinator: 5/5/2023

Since 1-bromopropane became a federal HAP, how have states been reaching out to small businesses to learn whether they have 1-BP emissions? Have you created targeted industry lists for outreach, or created tools for 1-bp calculations for specific industries? Wisconsin only found 2 sources through our annual emissions inventory reporting, so the air program has asked for help to see if we're missing any small business with emissions they should be reporting but don't realize. Anything at all that you've done related to 1-bp would be helpful information.

R Renee Bashel, WI Small Business Environmental Coordinator: 5/23/2023

So I've only had one response, and they were also curious about other states' efforts on outreach. By the lack of responses, should I take it that no one has focused on 1-BP outreach at this point? If you have not done any outreach, a quick reply of "nothing" would be helpful. If you have done some outreach, a simple list of which industries you have targeted for outreach would be sufficient.

A Renee Bashel, WI Small Business Environmental Coordinator: 5/25/2023

Of 12 responses:

- no outreach done in these states/areas - Clark County (NV), MS, NH, AZ, MI, IN, NC, CO, AK, PA, IA, and MT
- MN - plan to collect emissions in next inventory (collect toxics reports every 3 yrs.), suggested focus on degreasing facilities for outreach

- GA - contacted 4 facilities reporting 1-bp to TRI, not enough emissions there to change source status for any of them
- ID - wrote a newsletter article; an SBDC contact worked with 1 business to switch/replace 1-bp containing solvents w/o problem

Q Christine Hoefler, CO Small Business Assistance Program: 5/3/23

I am working with a company that will be shredding clothing and outdoor equipment (tents, backpacks, etc...). I am trying to figure out what process would have similar emission factors to use for determining their emissions. Does anyone have suggestions on what emission factors I could use?

R Tony Pendola, NC Small Business Environmental Assistance Program: 5/8/23

I would have them pay CLOSE attention to PFAS in these materials.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 5/3/2023

The TN Office of Sustainable Practices, which our SBEAP is part of and also houses our P2 programs, is interested in learning more about regulatory flexibility or relief benefit offerings in other states, especially for participants in voluntary environmental leadership program or other voluntary program, and if benefits of this nature are offered, how those benefits are structured. An example of a program we are aware of is [IDEM's Environmental Stewardship Program \(ESP\)](#), which offers some regulatory flexibility for participants. Right now, we are just gathering information about what is out there in terms of what other states offer and if you are willing to offer any insight into such, please do so. Some of the structure questions could involve:

1. Reduction in inspections
2. Greater flexibility in doing supplemental environmental projects to offset fines or as pollution prevention/pollution offset
3. Expedited permitting for participants
4. Do you have a tiered system
5. Benefits of being in a voluntary environmental leadership program
6. Do you utilize outside consultants
7. How does regulatory divisions view the leadership program
- 8.

Overall, we are interested in hearing about other state voluntary environmental leadership programs and how do they benefit the participants.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 5/3/2023

The National P2 Roundtable held a Microsoft Teams meeting on February 16, 2023 on the topic of 'Leadership & Voluntary Programs.' I do not recall how many or who participated except that I do recall a person with the Texas Manufacturing Extension Partnership whose name I am drawing a blank.

Meghann Quinn, VA DEQ is a contact referenced in the attached e-mail.

Meghann.Quinn@DEQ.Virginia.gov

I also believe that someone with the [North Carolina Environmental Stewardship Initiative](#) might have been participating as well.

A Vanessa Kohrs, AR Department of Energy & Environment: 5/3/2023

NStEP is Arkansas' version of a voluntary environmental stewardship program and operates on a four-tiered system: Bronze, Silver, Gold, and Platinum. The program is open to all Arkansas businesses that maintain twenty or more full-time employees, which opens the possibility of adding consultants to the program. Because of this, we're able to accept members from the consulting world that can assist and provide information to other NStEP members.

Here's a list of what incentives NStEP offers to members of the program:

- Notice of rule-making initiatives
- Permitting & compliance technical assistance
- Expedited permit modifications and renewals
- Assigned the same permit writer and inspector
- One-stop multi-media inspections
- Public recognition and marketing opportunities

We also offer an annual member's meeting for current and potential members to meet and discuss their experiences in the program along with any sustainability initiatives going on at their facility.

Q Belinda Breidenbach, ID Small Business Development Center: 4/4/2023

Does your SBEAP program have a good working relationship with inspectors?

Or

Is your SBEAP program restricted from working with businesses that have been inspected?

There was some discussion at the annual training that many inspectors refer businesses to the SBEAP program. Yet, there are other states where the SBEAP program is restricted from working with a business

once they are inspected. As I understand, these states have a view that a business could have contacted the SBEAP in the past but once an inspector visits it's an enforcement action.

Our EPA ombudsman, Paula Hoag, is going to look into this for us. We need to know how many states have restrictions once a business is inspected.

Summary of responses (**Good relationship** **Restricted**): Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine (See Julie Churchill's response on email thread), Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming

A Nancy Herb, PA Department of Environmental Protection: 4/4/2023

Does your SBEAP program have a good working relationship with inspectors?

YES, our inspectors regularly refer small businesses to EMAP for assistance. For PA, our SBO and the administrative/logistical support for the Small Business Assistance Program and our Small Business Compliance Advisory Committee are provided by staff in our central office in Harrisburg, PA. Our inspection, enforcement and facility permitting staff work out of 6 regional offices located throughout the state. The inspectors and permit engineers know that EMAP is available to offer free, confidential compliance assistance services to small businesses and they do make referrals to EMAP as appropriate. As there is typically significant turnover in those positions, we (DEP central office staff involved in coordinating the program) look for opportunities to connect EMAP staff with our DEP regional inspection and permitting staff (for example, invite EMAP to attend staff meetings or present on EMAP services.) This way new DEP staff learn about the program, understand what EMAP offers and know to refer businesses that could benefit from compliance assistance services. Our shared goal is for companies to be achieve and maintain compliance with the Air Quality and other requirements that apply to them.

Is your SBEAP program restricted from working with businesses that have been inspected?

NO, EMAP can work with businesses that have been inspected and help them to resolve compliance issues. This does not preclude further enforcement action by DEP, which depends on the specifics of each situation.

A Sara Johnson, NH Small Business Environmental Assistance Program: 4/4/2023

NH SBTAP networks with inspectors and complaint managers from Air and Waste Divisions. If I can solve the complaint with assistance, the compliance inspectors will not get involved. This is my role as SBEAP.

After an enforcement action (letter of deficiency) has been issued, I can still receive a referral from enforcement. If the small business does come into compliance with SBTAP assistance, enforcement may reduce or eliminate fines/fees. This is my role as SBO.

NH's 1-FTE is SBEAP and SBO.

A Emilie Eskridge, OH EPA: 4/4/2023

In Ohio we are housed in Ohio EPA and have a good relationship with our district office inspectors. Many businesses are referred to us by them, but we are a non-regulatory and confidential service separate from the regulatory divisions.

Facilities are inspected on a schedule for compliance depending on the regulatory program. Their inspection status does not impact our ability to provide assistance to the facility, and we do assist facilities in complying with notices of violation when appropriate. However we typically do not provide assistance to facilities in enforcement since the issues at that point have escalated to legal action by the agency.

A Sherry Waldon, GA Environmental Protection Division: 4/4/2023

Does your SBEAP program have a good working relationship with inspectors?

Typically our District offices encounter our smallest businesses and routinely refer the small businesses that need assistance coming into compliance to the program. These typically might need a permit and they need someone to figure out if they do or not, or they need guidance to mitigate circumstances that resulted in a citizen complaint regarding that business. Often this results in material substitutions to avoid regulatory or permit applicability, so it works well to lessen everyone's load. Working with the program does not prevent enforcement, but will provide any extra time needed, and will stop escalated enforcement in most cases. However, when a small business stops cooperating with the SBEAP, (not routine, but it has happened) they are referred back to the inspectors for pursuing additional enforcement or giving deadlines which, if missed, could trigger additional enforcement.

We do not offer confidentiality with regard to enforcement matters but we offer greater enforcement discretion in pursuing companies that first contact SBEAP with a compliance problem, unless the company is not a small business or will trigger certain MACTs, synthetic minor permitting or Title V.

Is your SBEAP program restricted from working with businesses that have been inspected?

No

A Nancy Larson, KS Small Business Environmental Assistance Program: 4/4/2023

In Kansas, we have a good working relationship. Our inspectors refer clients to us and we get invite to participate in and sometimes present at their "all-inspector" meetings, call air field staff meetings.

A Jennifer Lipkin, NV Small Business Environmental Assistance Program: 4/4/2023

In Clark County, Nevada, the air quality Small Business Assistance Program (SBAP) is housed within the regulatory agency. We have a separate supervisor and are confidential. Compliance and permitting staff, supervisors, and managers are very respectful of our confidentiality. They understand the more open and comfortable sources are with SBAP the more compliant they will be. We work closely with permitting and compliance, we even attend some of their staff meetings. It works out great because we know their processes, standards, and expectations. The inspectors and permit writers refer sources to us all the time and can refer us at any point in the inspection and permit or enforcement process.

The department has 2 FT SBAP staff and 10 stationary source inspectors (major and minor) and 9 permit writers (major and minor). SBAP has monthly, virtual workshops on various topics (Permitting 101, Preparing for an Inspection, GDO Self-inspections, Annual Billing, Compliance Bootcamp, Annual Reporting) and inspectors handout flyers during every inspection for upcoming workshops. If SBA has been involved, the inspections, compliance, and permit applications are significantly better so inspectors and permit writers are motivated to promote our services.

A Renee Bashel, WI Small Business Environmental Coordinator: 4/4/2023

In Wisconsin, a good portion of our referrals from air program inspectors come after a site visit/inspection and they realize the facility will need more help than they have time to spend with them. When we had more minor source inspectors, they might offer a bit of assistance before referring them, but now they don't have the time so we get more referrals. Because they are low on staff for minor sources, they don't have the time to go the enforcement route for all the ones lacking records or other minor issues.

Most of the other air referrals come from an initial contact where the facility doesn't know what applies, and the air staff want us to help sort out permit and/or regulatory applicability before they spend inspector time on the facility.

We don't get many referrals from the other programs yet.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 4/4/2023

In Indiana, we do not attempt to help a regulated entity during the enforcement process. Once the process is complete, we can help that entity, if they so desire, to avoid repeating the violation(s) which led to enforcement.

New employees hired by IDEM and older employees that retire or change employment lead to a disconnect between staff who administer permitting, inspection and sampling programs. That is, they may not know we exist. There are ten of us out of 800 IDEM employees. I sometimes think of CTAP being like the stepchild.

Referrals had come from air & RCRA inspectors on an infrequent basis.

Much like Wisconsin, air inspectors are obligated to complete x number of inspections a year, evaluate entities that should have received air permits and address complaints. They are less likely to provide assistance to a regulated entity and might refer such an entity to CTAP for the sole purpose of calculating potential to emit as in the case of processing polymers, there is a large information gap regarding emission factors covering the plethora of polymers that exist today and will exist in the future.

We try to work with members of our recognition programs, e.g., Partners for Pollution Prevention, Environmental Stewardship Program (based on ISO 14001), and the Governor's Awards for Environmental Excellence as they all have their own geographical spheres of influence and my know of local entities that could benefit from our help.

A Anne Keller, NM Small Business Environmental Assistance Program: 4/5/23

NM SBEAP is restricted from working with small businesses that have been inspected. Thanks for posing the question.

A Bob Randolph, MO Department of Natural Resources: 4/5/2023

Does your SBEAP program have a good working relationship with inspectors?

Yes, Missouri's SBEAP has a good working relationship with regional office air inspectors, including situations involving Notices of Violation or Letters of Warning associated with air inspections or referrals from staff in the Air Pollution Control Program. Missouri's SBEAP is housed in the Air Pollution Control Program.

Is your SBEAP program restricted from working with businesses that have been inspected?

No, there are no restrictions limiting Missouri's SBEAP from providing assistance &/or working with businesses that have been inspected. In all situations, SBEAP is tasked with assisting small businesses with action items needed to demonstrate compliance.

A Linda Piper, LA Department of Environmental Quality: 4/5/2023

Louisiana has a good working relationship with our inspectors. We often receive referrals from Enforcement and Surveillance. Realizing compliance is the main goal, some small facilities are just not aware of their permit conditions and cannot afford the services of environmental consultants. We also operate under a confidentiality clause that if we discover other compliance issues while working with a small business, it's kept in confidence and we work with that small business to resolve all issues. We also occasionally receive referrals from permit staff as well.

A Eleanor Divver, UT Small Business Assistance: 4/5/2023

Utah does not have restrictions about working with businesses that have been inspected. If SBEAP can assist - we do. We usually are involved on the front/beginning end of the business starting.

DNR is also good about referring businesses to us.

A Jennifer Wittenburg, IA Air Emissions Assistance Program: 4/5/2023

As is the case in many other states, Iowa SBEAP also has a great working relationship with the DNR inspectors. We get many referrals from them, answer questions they may have, and participate in the joint meetings involving DNR central and the field office inspectors. With that said, we do have the following statement in our contract related to criteria for which businesses we can conduct site visits at: Have not been inspected within the last three months by DNR, unless a referral from a DNR inspector justifies a site visit.

A Julie Churchill, ME Small Business Ombudsman: 4/6/2023

This is a regulatory framework question so it depends if the inspection led to formal enforcement actions such as a Notice of Violation (NOV) or Consent Agreement. It's not that assistance by our office is restricted; it's whether they have entered into a legal enforcement action.

I have had businesses contact me after an inspection and ask for assistance. My standard response is inquiring about the status of the inspection and whether they received formal enforcement actions such as a NOV/CA and are working on their corrective actions (I also check with our compliance staff). I let the business know once they complete their corrective actions and should they wish to engage in beyond compliance measures then we can assist. We just need to ensure there are no legal actions on the table.

So for Maine we follow the legal regulatory framework protocols following inspections. However if contacted I always encourage businesses to work on their corrective actions and stay in active communications with our inspectors.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 4/4/2023

So, I just received an interesting response from our Air Pollution Control that asked a question of the Regional EPA. This response is dealing with a small tree service company that is also planning to offer to incinerate the municipal wood waste in addition to wood waste removed from clients. In particular, the item about the proposed OSWI rule amendment removing Title V requirements for ACIs that burn wood waste caught my eye, especially as the NSC offered comments supporting that change. Why these amendments haven't been finalized, I don't know. But once they do, it may allow some relief for smaller ACIs, especially if they have a contract with a municipality to incinerate wood waste for them and thus be able to be classed as an OSWI:

After getting some initial feedback from EPA Headquarters we believe that perhaps the cleaner route to pursue for this ACI scenario instead of Subpart AAAA may be Subpart EEEE (under OSWI).

- Would the capacity of the ACI in question meet the VSMWC (very small municipal waste combustor) definition of less than 35 tons per day?

I think the main difficulty in trying to rely entirely on Subpart AAAA (as you've pointed out) is that the Yard waste definition does not technically include "tree limbs" but the Wood waste definition does. (See screenshots below from the final OSWI rule of 2005).

If the capacity for the ACI unit does align with VSMWC, and OSWI can apply to the ACI, then of course there is the Title V permitting requirement.

- Do you think Title V will be problematic for the company?

You may or may not be aware, but the Proposed OSWI rule amendment (issued back in August 2020) which removes the Title V requirement for ACIs (burning clean lumber, yard waste, or wood waste) has yet to be finalized by EPA.

Please let me know about the ACI's unit capacity and whether you concur that OSWI might better apply; given the strict wording for the ACI exemption in SMWC Subpart AAAA limited to 100% Yard Waste, ... mixing any other types of wood wastes or clean lumber would then nullify the ACI limited exemption and make the unit subject to the full regulatory requirements for SMWCs under Subpart AAAA.

Failing inclusion under OSWI I would then have to have some further internal discussions in finding any other remedy, since segregating "tree limbs" from the yard waste seems both impractical and most likely prohibitive by the company

Q Arthur Fink, KS Small Business Environmental Assistance Program: 3/8/2023

I'm working on a project looking trying to identify problems/solutions to small town and rural meat processors and the management of their wastewater here in Kansas...especially in areas that use two or three cell lagoons (instead of mechanically aerated wastewater treatment plants) for municipal wastewater treatment. Do other states have any technical guidance documents for small town and rural meat processing facilities and management of their wastewater?

A Mark Stoddard, IN Compliance & Technical Assistance Program: 3/9/2023

There is probably an organization in your state which helps to provide education to both industrial & municipal wastewater treatment operators which includes how to be certified as well as information on the various types of wastewater treatment.

Technical guidance on the siting, design and operation of a wastewater treatment facility will entail a large number of considerations, some of which are referenced below.

The NPDES permit will take into consideration the receiving stream as well as the discharge point into that receiving stream. Typically, the state environmental program governing that site will take into account the water quality upstream of the discharge point to make certain that additional pollutants entering at that point do not upset the water quality balance and enable it to be maintained which includes how the discharge will acclimate into the stream, e.g., immediate and downstream impacts on dissolved oxygen.

The strength/concentration of the wastewater constituents, e.g., BOD5 will make the design of an effective wastewater treatment system challenging.

Additionally, the discharge limits will be governed by Q7, 10 flow (minimum flow of a stream over a consecutive seven-day period that has a statistical frequency of recurrence of once in ten years). A large Q7, 10 flow along with copious acreage might cause one to consider a controlled discharge method of wastewater treatment - <https://www3.epa.gov/npdes/pubs/faclagon.pdf>. Conversely, a zero Q7, 10 flow along with reduced acreage might require mechanical treatment. In the former, sludge management requires periodic removal of accumulation within a lagoon cell. In the latter, sludge may accumulate more rapidly and may need to be removed and managed more frequently.

References:

American Water Works Association - <https://www.awwa.org/>

USDA Rural Development – Water & Environmental Programs - <https://www.rd.usda.gov/programs-services/water-environmental-programs>

NPDES permitting is site specific – Chapter 2 Planning, Feasibility Assessment & Site Selection - <https://www.epa.gov/sites/default/files/2014-09/documents/lagoon-pond-treatment-2011.pdf>
“...A number of factors must be considered, including but not limited to, required effluent quality, effluent discharge point, site topography, soils, geology, climate and groundwater conditions. Specific information is needed related to geotechnical characteristics, such as surface and groundwater hydrology, proximity to surface water for discharge, site permeability and lining requirements, feasibility of siting the ponds within or outside a flood plain, and presence of bedrock or groundwater within the depth of excavation (Crites et al., 2006).”

Point source discharge - <https://www.in.gov/idem/cleanwater/wastewater-permitting/national-pollutant-discharge-elimination-system-npdes/>

“The purpose of the NPDES permit is to control the point source discharge of pollutants into the waters of the State such that the quality of the water of the State is maintained in accordance with the standards contained in 327 IAC 2. The NPDES permit requirements must ensure that, at a minimum, any new or existing point source must comply with technology-based treatment requirements that are contained in 327 IAC 5-5-2. According to 327 IAC 5-2-2, "Any discharge of pollutants into waters of the State as a point source discharge, except for exclusions made in 327 IAC 5-2-4, is prohibited unless in conformity with a valid NPDES permit obtained prior to discharge." This is the most basic principle of the NPDES permit program.”

Meat Processing & Butchering Operations - IDEM, IDOH (Indiana Department of Health) & BOAH (Board of Animal Health) fact sheet, https://www.in.gov/idem/files/factsheet_owq_meat_processing.pdf

Wastewater Treatment of Meat Processors - <https://www.nichemeatprocessing.org/wastewater-treatment-for-meat-processors/>

Slaughterhouse wastewater characteristics, treatment, and management in the meat processing industry: A review on trends and advances - <https://pubmed.ncbi.nlm.nih.gov/26197423/>

Meat and Poultry Products Effluent Guidelines (As announced in Preliminary Effluent Guidelines Program Plan 15 (September 2021), EPA has completed a detailed study of the MPP category and

is preparing a rulemaking to revise the 2004 regulation) - <https://www.epa.gov/eg/meat-and-poultry-products-effluent-guidelines>

Water & Wastewater Management in Food Processing - <https://p2infohouse.org/ref/07/06625.pdf>

Characterization of Slaughterhouse Wastewater and Development of Treatment Techniques: A Review - <https://www.mdpi.com/2227-9717/10/7/1300>

When compared to medium strength municipal wastewater, average SWW characteristics can be 3.9 times higher for TOC, 6.3 times higher for BOD5, 9.8 times higher for COD, 10.7 times higher for TN, 5.5 times higher for TSS, and 7.1 times higher for TP [4,7].

Q Leena Divakar, KS Small Business Environmental Assistance Program: 2/17/2023

This is my first time working with an Ethanol plant and I was wondering if you could share any tools you have for the reporting requirements.

1. The facility has two natural gas boilers subject to NSPS Subpart Dc. This requires monthly fuel combustion records to be kept for the amount of natural gas combusted in the boilers. I guess this can be done with fuel supplier records or meter tracking. Do you have a tracking tool for **monthly** fuel combustion from the boilers?
2. The facility has a gasoline storage tank subject to MACT 6C. This again requires records of **monthly** throughput of the gasoline storage tank to determine what level of emission prevention is required of the facility. Do you have any tool for this?
3. Is there any tool to calculate VOC and HAP from equipment leaks?

Q Timothy Kirchgraber, Empire State Development Environmental Assistance: 2/9/2023

We are doing some research in New York. Are there states that provide financial assistance to small businesses so that they may come into compliance with environmental regulations? This could include capital for equipment purchases and installations as well as money for consulting services. If there are states that provide such assistance, how are the programs managed – in-house or third party? Are grants offered? Are they awarded competitively? How is ownership of purchased equipment handled? Has your state considered financial assistance for compliance as an option? Are there barriers to implementing such a program?

Q Jennifer Theodore, MN Small Business Environmental Assistance Program: 2/8/2023

Is anyone aware of a way for aggregate processing facilities to ‘self-test’ for moisture-content? Minnesota’s Nonmetallic Mineral Processing General Air Permit requires facilities to demonstrate moisture content is 1.5% or more. One method is benchmark testing using American Society for Testing and Materials (ASTM) method D2216-92 or D4643-93 (or equivalent). An owner is wondering if he can avoid hiring an outside company and do it himself.

R James Plosay, AK Air Permits Program Manager: 2/8/2023

Alaska has no requirement for “testing” for moisture content because it is standard practice here to water the fines and aggregate stock piles to reduce fugitives. Plus it rains a lot in most areas. Testing for moisture content would be superfluous.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 2/8/2023

They should be able to. In fact, I found a video from the Minnesota DOT explaining how to do moisture tests on aggregate: <https://www.youtube.com/watch?v=D9MBPFjuc7k>

A Kenya Stump, KY Department for Energy Development & Independence: 2/8/2023

I know the Bourbon industry in Kentucky tests for moisture on the spot at it relates to incoming grains. Maybe the same technology could be applied.

A Sydney Boogaard, Maricopa County AZ Air Quality Department: 2/9/2023

In Maricopa County soil moisture testing for crushing and screening operations is to be conducted in accordance with ASTM C566-97 (2004), or sites may use the Speedy Moisture Meter with written approval. Here is a link to the associated [rule](#) and you'll want to look at §312, specifically §312(b).

Q Sara Johnson, NH Small Business Environmental Assistance Program: 1/24/2023

I am looking for a publication or guidance document when a small business closes. What does the business owner need to do with environmental permits, registration, waste? Is there a checklist or short summary?

This issue comes up occasionally. I have a small business and he is retiring, so we are trying to connect him with HW transporters, air permits contact names changes, contact the local wastewater treatment facility, etc. He is selling the business and needs his name off and the new owner on.

Similar situation: the person leasing property leaves and the property owner needs to figure out what to do with HW left behind, who to contact at Environmental Services, deactivate site ID, change names on documentation, etc.

NH has information/requirements scattered throughout our rules, but nothing in a checklist or summary to guide them. I am hoping one of the SBDC has some sort of list for their clients.

A Belinda Breidenbach, ID Small Business Development Center: 1/24/23

Also have them contact their Small Business Development Center. Selling a business is in their realm. They provide no cost confidential counseling.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 1/24/23

TN does not have a checklist, but that is a good idea. Here is what I do know about changing of owner:

Air: An email/letter providing the new contact information and an agreement that they will accept all conditions of the existing permit. This should be done within 30 days of ownership change per General Condition #1 of air permits. For those that might have a Permit-by-Rule, there is a check point on that form for change of ownership.

UST: There is a full packet for both seller and buyer. The seller packet is much smaller and the buyer has to go through the packet almost as if opening a new location.

HW activity: simple notification and \$150 fee. I think they assume the ID number and any other conditions.

Water: A new Notice of Intent within 5 days from the new owner BEFORE the facility is sold or transferred.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 1/24/23

Indiana - <https://www.in.gov/idem/ctap/how-to-notify-idem-that-your-business-is-closing/>

Other somewhat related information: <https://www.in.gov/idem/airpermit/information-about/revocation-due-to-inactivity-abandonment-andor-nonpayment/>

Immediate Removals Program - <https://www.in.gov/idem/cleanups/how-this-affects-you/immediate-removals-program/>

“The Immediate Removals Program provides time-critical removal of pollutants that are considered an imminent and substantial threat to human health and/or the environment. For immediate removal purposes, time critical means the action must be initiated within six months....”

IC 13-11-2-191 “Responsible party”

IC 13-11-2-192 “Responsible person”

IC 13-20-14: Disposal of waste tires; IC 13-20-14-7 Removal and remedial actions – “...compel a person responsible for the improper disposal....”

IC 13-14-10 General emergency procedures; IC 13-14-10-3 Emergency assistance – “...any person responsible for abatement or remedying the emergency: cannot be determined or located; or has refused or failed to take prompt and effective action to abate or remedy the emergency....”

IC 13-25-4 Hazardous substances response trust fund

IC 13-24-1 Petroleum releases – “ If the commissioner determines that the removal or remedial action will be done properly and promptly by the owner, operator, or responsible person, the commissioner may enter into an agreed order with the owner, operator, or responsible person to implement necessary removal or remedial action. If the commissioner and the owner or operator or the responsible party fail to agree on the appropriate and necessary removal or remedial action to be taken, the dispute shall be resolved under IC 4-21.5.”

Due Diligence

It is generally in the best interest of the buyer and seller or the lessor (landlord) and lessee (tenant) to have a definitive understanding (written contract or lease using explicit terms) of expectations when the property is transferred, prior to a lease agreement or termination of a lease agreement. With the lease agreement, that might include periodic inspections of the property especially if hazardous waste is being generated and managed [improperly].

I like the resources that the Wisconsin DNR provides including “Prior to property changing hands, all parties involved should conduct proper due diligence in order to understand the environmental condition.” <https://dnr.wisconsin.gov/topic/SmallBusiness/PurchaseSpills.html>

A Renee Bashel, WI Small Business Environmental Coordinator: 1/24/2023

That is a great question. It is one we worked on in Wisconsin a few years ago. It differs by program/permit types so it can be a bit complicated.

We created a webpage to highlight what each of our regulatory programs needs when a business is making some sort of property transaction, whether selling or closing completely.

<https://dnr.wisconsin.gov/topic/SmallBusiness/PropertyTransfers.html>.

Alternatively, we have a page that directs someone purchasing a property – whether Greenfield or existing operation - to all the likely rules and permits they need to know about:

<https://dnr.wisconsin.gov/topic/SmallBusiness/PurchaseProperty.html>.

A Emily Ohde, MN Pollution Control Agency Resource Management & Assistance Division: 1/24/2023

MPCA used to have a webpage for administrative changes such as these but it was removed during a recent revamp. Therefore, SBEAP created a fact sheet (<https://www.pca.state.mn.us/sites/default/files/p-sbap5-44.pdf>) with the information. It is accessible via web and provided to facilities in these scenarios.

Q Mary Yesko, KS Small Business Environmental Assistance Program: 1/23/2023

Is anyone planning on attending the [National Environmental Justice Conference](#) held March 7-9th this year? If so, do you have information on their agenda?

If not, are there any other environmental justice conferences that you would recommend attending in place of the NEJC?

A Jenifer Dixon, MI Small Business Environmental Assistance Program: 1/24/2023

I am not attending, but we do have someone from our Agency going, so I could potentially get some feedback and information to share after. We have our Michigan Environmental Justice Conference this summer. It is our second one. Our last one was really good (I thought!) we had around 2000 people from across the county attend, but it was virtual. This one is going to be in-person in Detroit. I think it is going to be another good one based on the agenda and abstracts we have gotten. Check it out, if you want - [2023 Michigan Environmental Justice Conference](#)

Q Jacob Larson, KS Small Business Environmental Assistance Program: 12/21/2022

I'm looking for sustainability resources for small animal veterinary practices. The best resource I've found so far that is applicable to US businesses is the [Veterinary Compliance Assistance](#) group.

Does anyone know of other resources for veterinarians, such as case studies or organizations?

A Crystal Warren, TN Small Business Environmental Assistance Program: 12/21/2022

The Nashville Veterinary Services has a strong commitment to sustainability. You can read about some of the investments they've made around sustainability as well as their environmental commitment on this page: <https://www.nashvillevetspecialists.com/about-us>. It's not exactly a small veterinarian clinic but may be a resource for the vet practice seeking help.

Q Nancy Larson, KS Small Business Environmental Assistance Program: 10/31/2022

Are others dealing with client inquiries about HW incinerator backlogs? See the 2021 EPA memo at <https://rcrapublic.epa.gov/files/14939.pdf>. What are your states advising for clients that are SQGs and bumping up on their 270 day time limit?

A Jennifer Theodore, MN Small Business Environmental Assistance Program: 10/31/2022

Minnesota has seen requests from haz waste generators who are having trouble meeting their accumulation limits. SQGs can request a 30-day extension from the MPCA or their metro county and may exceed their maximum on-site accumulation volume limit during the extended time period. This factsheet describes how to request an extension: [Hazardous waste accumulation extensions \(state.mn.us\)](#)

R Nancy Larson, KS Small Business Environmental Assistance Program: 10/31/2022

Thank you. The 30-day request is how KS is handling it too.

Q Mark Stoddard, IN Compliance & Technical Assistance Program: 10/24/2022

How are regulated entities in your state managing unused surplus hand sanitizer? As hazardous waste, a hazardous secondary material, repurposed, analyzed & reformulated or returned to the manufacturer to be analyzed and reformulated assuming that a FIFRA requirement would not prevent reformulation? I would presume that unused surplus hand sanitizer is not currently being incinerated based on its heat capacity and also due to the limits on incineration capacity.

CDC recommended the use of a hand sanitizer with a minimum alcohol (EtOH or IPA) content of 60 % wt. The presumption is that below 60 % wt. alcohol, the efficacy of the hand sanitizer has diminished to the extent that it might not disinfect fully. If the alcohol content is diminished sufficiently, it may no longer be considered an ignitable hazardous waste. Have entities conduct testing to ascertain whether the unused surplus hand sanitizer would be considered RCRA ignitable – D001?

Managing unused hand sanitizer might be more problematic if stored in containers smaller than 55-gallons due to logistical issues of receiving and unpackaging the material.

The main ingredients are primarily alcohol, followed by water with smaller percentages of H₂O₂, Glycerin/Glycerol and possibly other ingredients such as Aloe, etc.

A Debra Jacobson, IL Illinois Sustainable Technology Center: 10/24/2022

I had this question come up a few months back. Here's what I was able to pull together for the company.

If you have the material tested by an independent testing laboratory to verify the alcohol content, you can re-label the containers with a new expiration date of 3 years from the date of the test. If you still have material on hand after the 3 year extension you will need to get the material tested again, and once again extend the expiration date for another 3 years.

If at some point you do not want to continue to store this material (in a fire safe storage area – obviously), then you have the option to work out an arrangement with an ethanol blending facility. This would avoid the material being considered “hazardous waste” and the associated regulatory aspects would not apply.

<https://www.fda.gov/drugs/information-drug-class/qa-consumers-hand-sanitizers-and-covid-19>

Q. Do hand sanitizers have an expiration date? Are they still effective after the expiration date?

A. OTC drug products generally must list an expiration date unless they have data showing that they are stable for more than 3 years. FDA does not have information on the stability or effectiveness of drug products past their expiration date (See [21 CFR 211.137](#)). Hand sanitizer produced under the temporary policies for hand sanitizer production and compounding may not have an expiration date listed because they are expected to be used during this public health emergency^{1,2,3}.

<https://www.fda.gov/drugs/coronavirus-covid-19-drugs/hand-sanitizers-covid-19>

CDC recommendations of at least 60% ethanol or 70% IPA (isopropanol) content (see FDA's 1994 TFM and the CDC Statement for Healthcare Personnel on Hand Hygiene during the Response to the International Emergence of COVID-19).

What Is the Expiration Date of Most Solvents?

“Most solvents in their pure state have an indefinite shelf life if stored in unopened containers under proper conditions.” “...Since many industries require expiration dating as part of their protocols and since Pharmco has only carried out verification to three years, expiration dates for most common solvents are three years from the date of manufacture on the certificate of analysis. This includes almost all solvents in our catalog such as Acetone, Methanol, Reagent Alcohol, IPA (2-propanol), Ethyl Acetate etc. Only certain solvents have shorter shelf lives. Most but not all specially denatured alcohol formulations have a shelf life of up to five years.” – Pharmco Tech Library

Can I use Expired Isopropyl Alcohol?

Most, but not all isopropyl alcohol packaging includes an expiration or retest date. Assuming adequate storage conditions over the lifetime of the product, IPA is generally a very stable chemical. Use good judgment and consider the risk.

In manufacturing operations, proper labeling, inventory tracking, and use-by dates have important implications on supply chain and product outcomes. In the case that a relatively large batch of IPA is unlabeled or falls beyond the use date, **retesting ensures the solution is still safe for use.**

<https://www.fda.gov/media/136390/download>

Temporary Policy for Manufacture of Alcohol for Incorporation Into Alcohol-Based Hand Sanitizer Products During the Public Health Emergency (COVID-19) Guidance for Industry

Q Lee Ann Briggs, PA University of Pittsburgh Small Business Development Center: 10/21/2022

[Non chrome plating – electroless nickel plating] I know some time ago Lynelle Ladd had a similar posting that never really picked up any steam. I am currently working with a client seeking assistance with calculating PTE for his plating shop. Note he does no hard chrome plating. He offers electroless nickel plating, as well as zinc, tin, nickel chrome and zinc/nickel electroplating. Any suggestions for developing PTE calculations would be greatly appreciated.

A Joseph Neuklis 10/24/2022

If it involves plating ask Mark Stoddard, IN Compliance & Technical Assistance Program:.

Q Richard Fiddymment, IL Small Business Environmental Assistance Program: 10/19/2022

I was contacted today by a guy intending to start a small business in a rural Illinois county (so not Chicago area or Metro East) spray applying Cerakote to sheet metal parts. This is the first I've ever heard of Cerakote. The manufacturer of Cerakote says that it needs to be spray applied with an HVLP gun in a paint spray booth after degreasing and sandblasting of the surfaces to which it is to be applied. This stuff is toxic so full protective gear must be worn including clothing, gloves, goggles and respirator. The client reports they have a spray booth in waiting. The SDS for Cerakote says that it is VOC exempt in all 50 states and the client reports that the formulation they intend to use contains no HAPs. Would this mean that the client is exempt from the requirements of the 6H NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations? Must they petition for exemption? Would they have to submit an Initial Notification? Or am I crazy?

A Nancy Larson, KS Small Business Environmental Assistance Program: 10/20/2022

If the coating doesn't have any of the five metal HAPs and they are not using MeCl, then [Subpart HHHHHH](#) does not apply and the client is required to file a petition for exemption. Per standard, make sure the company keeps a record of the paperwork, including the SDS.

I grabbed a [SDS for Cerakote](#) and it looks like this is a two part coating, Cerakote being the catalyst (part B), but the ingredients are 100% proprietary. That makes it challenging.

As an SBEAP I always ask to see the SDSs for the coatings to make sure the client is reading them correctly, so if you haven't seen the part A you may want to ask for that. As far as toxicity, what is the client basing that off of?

Remember, you can always use the [6H regulatory navigation tool](#) to help you determine applicability.

A Jayme Csonka, KY Small Business Environmental Compliance Assistance Coordinator: 10/20/2022

I recently finished preparing an application for a facility here in Louisville, KY that is installing a system to apply Cerakote to titanium weapons components for both civilian and military use. It was a learning process for me too. The facility is a machine shop, and the Cerakote application is a side project of theirs, so they only anticipate using 1 gallon per week of a single color in the C-series. They appear to be the only facility using Cerakote here in Louisville Metro, and I am at a local agency that independently enforces air quality regulations separately from the rest of Kentucky. I have heard hearsay that there is another facility that uses Cerakote in Shelbyville, which is in the next county east of Louisville, and of another facility just across the river from us in Jeffersonville, Indiana. I had to reach out to the manufacturer directly to get detailed information not included on the SDS. Of note, be very concise about what you need when contacting them because they are very concise with their replies. They were, however, very timely.

Not all colors in the C-series are subject to 6H, but there was also no mention of 6H applicability on any of their SDS documents. I have a list of the 6H exempt colors from the manufacturer, so let me know if you'd like a copy of that. The color my client is planning to use is subject to 6H. It contains 0.3 g/L VOCs and 4.95% Cr(III), none of which was mentioned in the SDS. The client did end up submitting an initial notification for 6H, and I supplied them with compliance and curriculum materials/information. We had them apply for a minor source permit, but ultimately determined that they could easily accept a production limit of 1000 lbs/year of HAPs, which made them eligible for a registration instead of a minor source permit. Their final document was issued just yesterday! I'd be happy to share materials. I had considered asking the same question here when I was trying to figure out Cerakote.

About the process: The facility will be using an abrasive blast cabinet with aluminum oxide grit to clean products, followed by a cleaning in a vacuum parts washer using a solvent called Metalnox, and then a wipe-down with acetone before they do the actual coating. The liquid Cerakote is pre-mixed and does not require any blending at the facility. The coating is done with a HVLP spray gun fitted with a 0.8mm tip size inside a fully enclosed spray booth. The materials dry inside the booth at ambient temperature. No ovens are needed for curing.

R Genine Rosa, NV Washoe County Health District: 10/20/2022

I'm following this from Reno...we have a facility that uses this product. If you could share that list of 6H exempt colors that would be much appreciated. I don't think I have anything further to offer, Jayme covered it well!

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/20/2022

Good research, Jayme. Interesting to note that not all colors would contain target metal HAPs that would make a facility subject to 6H. I think that list would be useful to us in general (might be added to the 6H page where [paint lists](#) are) and Richard in particular.

Richard, if possible, I would try to request an Environmental Data Sheet as those are often more detailed than SDS which are primarily designed for safety and not environmental work. However, as SDS are required to be supplied to end users, those are often what we start with. An EDS may be able to show whether there is a target metal HAP in the particular Cerakote being used.

Nancy, please correct me if inaccurate, but I was under the impression that only auto body shops needed to submit a petition for opting out if not subject (63.11170 (a)(2)). As the facility Richard is working with is coating sheet metal and not motor vehicles or mobile equipment, a simple determination if subject or not would determine the next step and an opt-out petition is not needed. Following that determination, the facility may still be subject to general VOC or other emission permitted requirements for the state, but if not subject to 6H, an Initial Notification and Notification of Compliance Status would not be required. If they are subject to 6H, then yes, the Initial Notification and Notification of Compliance Status report would be needed per 6H.

A Renee Bashel, WI Small Business Environmental Coordinator: 10/20/2022

Since they are not an autobody shop they would not need to petition out of 6H. Also, if they are not subject to 6H you should check to see if they are still subject to 6X, the metal fabrication and finishing rule. Being subject to 6X seems more likely as they are doing some of the other metal fabrication processes mentioned in 6X...but the SIC/NAICS list subject to 6X is limited so they may fall out there too.

A Nancy Larson, KS Small Business Environmental Assistance Program: 10/20/2022

With regard to applicability of 6H being "autobody," remember it applies to mobile vehicle equipment/parts, so trucks, airplane parts, trailer parts, etc.... In Kansas and other states, the petition exemption requirement is no longer limited to autobody, so check with your state.

What Donovan describes with regard to the petition for exemption, makes sense, but about three years ago, I recall having a discussion about this topic with Tony, Dan and others. We tried to argue the petition shouldn't apply to our airplane parts manufactures, but in Kansas they rejected the argument.

6X is a great suggestion, especially since they are blasting metal (or welding) which may contain one of the 5 metal HAPs.

A Jayme Csonka, KY Small Business Environmental Compliance Assistance Coordinator: 10/20/2022

I have attached a document I received directly from the manufacturer of Cerakote that is a list of Cerakote coatings/colors from the C-series with formulations that will not be subject to 6H. Note, this is only for the C-series, they have a few other series in the Cerakote product line. The C-series is a premixed liquid ceramic coating. There are around 50 total color options in the C-series, of which 22 are on the attached list.

In addition to the SDS documents for each individual coating, there are also technical data sheets available that I recall providing more information on the physical and chemical properties. The TDS' have a statement towards the bottom:

- "All Cerakote coatings are VOC compliant under the EPA and have low to no VOC content. To find out the VOC content of an individual coating please contact sds@nicindustries.com for more information."
 - This is also the address I contacted about 6H regulated metals content

A Tony Pendola, NC Small Business Environmental Assistance Program: 10/21/2022

If a non-autobody client doesn't use target HAPs, then they are exempt from 6H and required to do nothing beyond keeping records to prove it.

Some regulators may misinterpret this and want a petition. 6H was originally 3 rules that were combined. The stripping and miscellaneous portions are not "guilty until proven innocent." The petition for exemption is only for "autobody shops" and required of every single one that spray applies coatings on motor vehicles or mobile equipment with a few caveats.

A Tony Pendola, NC Small Business Environmental Assistance Program: 10/21/2022

The only place in the rule that mentions the petition is clearly ONLY for autobody shops under 63.11170 (a)(2). Miscellaneous metal and plastic parts are covered under section (a)(3). See below.

[§ 63.11170 Am I subject to this subpart?](#)

(a) You are subject to this subpart if you operate an area source of HAP as defined in [paragraph \(b\)](#) of this section, including sources that are part of a tribal, local, State, or Federal facility and you perform one or more of the activities in [paragraphs \(a\)\(1\)](#) through [\(3\)](#) of this section:

(1) Perform paint stripping using MeCl for the removal of dried paint (including, but not limited to, paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates.

(2) Perform spray application of coatings, as defined in [§ 63.11180](#), to motor vehicles and mobile equipment including operations that are located in stationary structures at fixed locations, and mobile repair and refinishing operations that travel to the customer's location, except spray coating applications that meet the definition of facility maintenance in [§ 63.11180](#). However, if you are the owner or operator of a motor vehicle or mobile equipment surface coating operation, you may petition the Administrator for an exemption from this subpart if you can demonstrate, to the satisfaction of the Administrator, that you spray apply no coatings that contain the target HAP, as defined in [§ 63.11180](#). Petitions must include a description of the coatings that you spray apply and your certification that you do not spray apply any coatings containing the target HAP. If circumstances change such that you intend to spray apply coatings containing the target HAP, you must submit the initial notification required by 63.11175 and comply with the requirements of this subpart.

(3) Perform spray application of coatings that contain the target HAP, as defined in [§ 63.11180](#), to a plastic and/or metal substrate on a part or product, except spray coating applications that meet the definition of facility maintenance or space vehicle in [§ 63.11180](#).

This is why the Reg Nav Tool specifies that it only applies when these definitions are met. I vetted this through the OAQPS rule contact. See below.

6H Exemption

Definitions:

Please note that this only applies to collision repair facilities that spray apply coatings to motor vehicles and mobile equipment!

Motor Vehicle means any self-propelled vehicle, including, but not limited to, automobiles, light duty trucks, golf carts, vans, and motorcycles.

Mobile Equipment means any device that may be drawn and/or driven on a roadway including, but not limited to, heavy-duty trucks, truck trailers, fleet delivery trucks, buses, mobile cranes, bulldozers, street cleaners, agriculture equipment, motor homes, and other recreational vehicles (including camping trailers and fifth wheels).

Spray Apply does not include non-refillable aerosol containers, non-atomizing applications, nor devices with a paint cup capacity less than or equal to 3 fluid ounces.



NEXT >

It would be great if Kansas or one of these other states would submit an Applicability Determination request to the EPA Regional Office.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/6/2022

I'm working on a assistance that has me puzzled. It's a facility that makes pre-cooked sausages using natural gas ovens. The oven emissions aren't an issue and easy enough to calculate. However, the cooking of the sausages is an issue as I can't really find decent emission factors relating to that. Closest I found was a MN permit for a Hormel pre-cooked bacon process that allowed for up to 0.3 grains/dscf in particulate emissions. While I could use that, our state may put a max limit of 0.25 grains/dscf on such a process and that only really relates to the airflow volume and not the process itself. I went through our regs and didn't see any exemption relating to large scale cooking of meats (there were exemptions for smaller scale like BBQ pits), so this would indicate this is above the exemption levels.

Primary reason to try and find emission factors would be there have already been complaints about the smoke generated from the facility. While I could suggest a mist suppressant system (noted on the Hormel facility) as a good neighbor action, that still doesn't give an indication of what the emissions were in the first place and the level of control that may be needed.

Anyone have experience with this or ideas?

A Renee Bashel, WI Small Business Environmental Coordinator: 10/6/2022

The Oscar Mayer facility in Madison WI had a permit with oxidizers to control the emissions from the smokehouses. They have been closed for a while now but I will see what I can find in the records for the old permits.

A Tony Pendola, NC Small Business Environmental Assistance Program: 10/6/2022

JAWMA has an article with EFs. "The PM2.5 rates for charbroiling meats ranged from 4.4 to 11.6 g/kg of uncooked meat in this study."

<https://www.tandfonline.com/doi/abs/10.1080/10473289.2003.10466141>

Q Leena Divakar, KS Small Business Environmental Assistance Program: 9/28/2022

We are working with a Fertilizer Manufacturing (Mixing only) facility (NAICS Code: 325314) and are looking for some help in calculating the PTE for different equipment used in bagging and material handling. I would like to know if anyone has a similar experience and has resources to share.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 9/29/2022

It appears that SIC code 2875 is associated with Fertilizers, Mixing Only.

One can search the IDEM (Indiana) Air Quality Permit Status Search. By SIC Number is one of the options. <https://www.in.gov/apps/idem/caats/> There are five entities based on this search which includes Gypsoil Blendable (Fair Oaks, IN) – They were issued a Minor Source Operating Permit on November 15, 2018 - <https://permits.air.idem.in.gov/38968f.pdf> - technical support document starts on page 26 of 43. Emission calculations start on page 35 of 43. Unit Granulation Services was issued an exemption letter on August 9, 2013. Emission calculations start on page 9 of 17. <https://permits.air.idem.in.gov/33260f.pdf> Or you may prefer to view the other three entities.

Q Richard Fiddymont, IL Small Business Environmental Assistance Program: 9/26/2022

I've been contacted by someone from a Chicago area firm that manufactures coatings and mastics for professional building contractors. He is not sure how to do emissions calculations for this and so I asked him to send me details about what they manufacture, what material inputs are used and how they manufacture their products. He responded with the following.

We manufacture silicones and adhesives mainly. All we do is mix the raw materials (solvent's, acrylics, pigments, epoxies) in a mixer and then we pack the product. Our air emissions come mainly from the mixing process. We can calculate the total air emissions by subtracting the final weight from the initial weight minus an estimated number of solid waste weight. However, I am not sure if that is permissible.

Even from my ignorant perspective, this seems a bit short of details to be of much use in assisting him. Is there anyone out there familiar with this type of business who might be able to tell me how I should follow up with him, what questions I should be asking? Or, if he has provided enough information, could you point me in the direction of an emissions calculator that would work for him?

A Debra Jacobson, IL Illinois Sustainable Technology Center: 9/26/2022

Having worked with a similar type of manufacturing company, they probably have bulk storage tanks for their solvents. In addition to air permitting calculations from their batch processing, they would likely need to permit the tanks (state permit).

If they are in Cook County, they will need to obtain an air permit for their activities and the tanks from the City of Chicago or Cook County in addition to the state permit. And bulk solvent storage tanks require a permit from the State Fire Marshall.

The way I approached it was to begin preparing a mass balance to estimate their actual emissions. I did this by getting their annual purchase records of solvent and other VOC containing ingredients and their total volume produced (sold). Then had them measure the percentage of VOC retained in the product, and the % by volume of waste material per year (per batch).

Note – In addition to emissions from batch processing, they will have emissions from equipment clean up and batch/color change over. So the total purchase of solvent vs. solvent laden waste disposed is important to know.

Q Richard Fiddymont, IL Small Business Environmental Assistance Program: 8/4/2022

I am attempting to assist a consultant who queried me today regarding a facility that refines metals for the jewelry industry. Part of the process involves bathing the metals in a nitric acid bath with an anode to increase the purity of the metals. Vapors are piped to a tank with a base to neutralize before being emitted into the atmosphere, thereby preventing acid rain. Does anyone have a recommendation for estimating emissions?

Q Phyllis Copeland, SC Department of Health & Environmental Control: Copeland 8/3/2022

Looking for factors along with the background on the factors for air curtain incinerators.

A Nancy Larson, KS Small Business Environmental Assistance Program: 8/8/2022

I did not work on it, but we do have a PTE calculator for Kansas air curtains incinerators here - <https://www.sbeap.org/air-quality/tools/pte-calc>.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 6/15/2022

Yesterday on the SBAR pre-panel for the Air Emissions Reporting Requirements, the question was asked what are the general insignificant or de minimis levels that different states use to determine if a source is required to receive a permit. For this purpose, the more general levels are requested. For example, in TN, if a source has a PTE of 5 tons/year of criteria pollutants or less or has a PTE of 1,000 pounds/ year or less of any single HAP, they are considered an insignificant source of air emissions unless they are subject to a Federal rule. If the state contact for each state could email me their state information directly, I would appreciate it. I'll share more information at today's NSC call, but in general the AERR proposal may have a large impact on small businesses and state permitting, so the information will be helpful in developing comments at this pre-panel stage.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 6/20/2022

I want to thank those that have provided me with insignificant or de minimus level required for permitting in their state. I've received information from 11 states to help provide substantiation of comments being developed for the pre-proposed Air Emissions Reporting Requirements (AERR).

One item that was brought up by some states is that their AERR may be separate from any required permitting. And after discussion within TN, we reached the conclusion that a Federal requirement to report would not necessarily require permitting of sources that are below insignificant source thresholds for permitting. In talking with those states where reporting is separate from permitting, they require reporting even if the facility does not require a permit.

As such, I have a follow up question for the states:

What are the air emissions reporting requirement thresholds for your state? Do you only require major sources to report? Or is reporting required for any facility above a certain threshold?

Q Richard Fiddymment IL, Small Business Environmental Assistance Program: 6/13/2022

I am trying to assist a scrap metal recycler that recently received a violation notice from the Illinois EPA for operating a metal processing shears without an air permit. Among other things, they are going to need to submit to IEPA calculations of potential and actual emissions for this unit and they have no idea how to do this. They have told me that their material throughput consists of metals only, mainly from demolition sites. Some coatings involved on the metals so perhaps some HAPs/VOCs in their emissions as well as PM of various sizes presumably, correct? I'm looking for help calculating emissions from this type of source. Better still, does anyone know of any "plug-and-play" emissions calculators out there for this sort of thing? Something a small business with little or no experience (and even an Illinois SBEAP staffer --- ME) could use? When answering, best to assume that the client and myself are almost entirely ignorant. You won't be far off and you won't hurt my feelings.

Q Sara Johnson, NH Small Business Environmental Assistance Program: 5/20/2022

Question from the NH P2 Program – They also sent this question to the NEWMOA, NPPR and P2 Hub.

A New Hampshire based window and door company asked for assistance finding a way to recycle or reclaim vinyl dust, shavings and scraps that are less than 8 inches in size. The manufacturer of the vinyl product will take back pieces that are 8 inches or larger but will not accept any small scraps or anything that comes from the welding/cutting machines or from the floor. The window company is generating approximately 115 pounds of vinyl dust a day (~29,900 pounds of vinyl dust a year). This is a low estimate. The company representative has done a lot of research into this issue over the years and has exhausted all the avenues available to him so I am reaching out to several group/lists hoping to find a solution to this problem.

The SDS is attached – the product contains titanium dioxide (Titanium (IV) Oxide), Bis (2-ethylhexylthioglycolate) dimethyltin (DMT (EHTG)), vinyl chloride monomer (VCM) (Chlorothene; VCM).

From the company:

They are disposed of daily, multiple time per day. We clean as we go. Yes, 30k + lbs of it annually is a lot. That is why I am trying to find a way to not dispose of it. Currently, the process is we place them in the dumpster. The dumpster is picked up by our vendor and taken to a waste facility. I know that the dumpsters have been take to the Wheelabrator plant in N. Andover Mass for incineration. Whether they all go there every time, that I can't answer, so I suppose, it is possible it gets to a landfill, but I don't know that for sure.

They do have an air permit for the bag house.

Any responses will be shared with the P2 Program.

A Tony Pendola, NC Small Business Environmental Assistance Program: 5/31/2022

We have a company in NC that uses HDPE and wood flour to make outdoor furniture. Others use HIPS. I'm betting these vinyl windows are PVC. I don't know if that can be made into furniture.

Q Phyllis Copeland, SC Department of Health & Environmental Control: Copeland 7/11/2022

Has anyone calculated emissions for this type of process [Solidification Pit VOC/HAP emissions]? Particularly, how do you account for the variability in daily volume and liquid content.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 7/11/2022

No, this a new one for me. Could you provide some more details as to what constitutes a solidification pit? Is it essentially an open air area for evaporation of VOCs and HAPs to allow a volatile liquid to volatilize until only the solids are left behind?

And are there any level of controls for this? It really sounds like this would relate to things like open-container prohibitions (per programs such as Hazardous Waste and Dry Cleaner programs).

A Mark Stoddard, IN Compliance & Technical Assistance Program: 7/12/2022

I searched the IDEM (Indiana Department of Environmental Management) virtual file cabinet - <https://vfc.idem.in.gov/DocumentSearch.aspx> - using OAQ as the program area (drop down menu) and “solidification pit” in the full text search. I could probably have simplified the search by using on “solidification.”

There were 95 results in 5 pages. Unfortunately, the result cannot be reordered for searched further to reduce the number.

Three of the results below from the first page seem to apply to your situation.

[83178922](#) e-mail correspondence regarding the review of an administrative amendment to a Title V air permit for CGS Services Inc. (Waste Management which includes a landfill located in Morristown, IN) – pp. 20 & 32 of 136

[82952965](#) The administrative amendment to the Title V was issued to CGS Services on April 21, 2020.

[83231004](#) Title V issued to Lehigh Cement (Logansport, IN) which includes a copy of 40 CFR 63, Subpart DD – Off-Site Waste and Recovery Operations, starting on page 309 of 754 and a definition of “waste stabilization process” which also includes “waste stabilization.”

R Phyllis Copeland, SC Department of Health & Environmental Control: Copeland 7/12/2022

Facility operations comprise preparing non-hazardous waste for landfill disposal. Generators of material sent to ABM must complete a Waste Profile Form prior to facility acceptance. The Waste Profile Form includes basic generator information including company contact information, waste description, and waste characteristics. Waste characteristics include physical state (solid, liquid, or sludge); viscosity (low, medium, or high); any layering present; BTUs per pound, if applicable; specific gravity; flash point and pH. The acceptance process includes, but is not limited to: Waste Profile Sheets, Safety Data Sheets, Analytical Reports, Generator Knowledge or TCLP, and any Shipping Information regarding shipments to previous disposal facilities. The Waste Profile Form is reviewed by an ABM employee prior to waste acceptance.

The primary operation at the facility involves mixing sawdust with non-hazardous waste material to make it acceptable for landfill disposal. The facility receives both liquid and solid non-hazardous waste material. Potential particulate emissions result from handling and mixing of the sawdust. Potential evaporative emissions of volatile organic compounds (VOCs) and hazardous and toxic air pollutants (HAPs) occur during the mixing process.

Once the waste material is accepted, it is either stored inside the facility warehouse or placed in the steel-lined pit used for mixing that has a shell volume capacity of 9600 gallons. Sufficient sawdust is then added to reduce the moisture content of the mixed material such that it is acceptable for landfill disposal. A large backhoe is used to load and mix the material and sawdust.

All air emissions from the facility are fugitive and uncontrolled.

Potential VOC/HAP emissions occur after the liquid waste is loaded into the pit for blending with sawdust and volatilize if their respective vapor pressure is sufficient, Each batch is assumed to comprise 50% liquid and 50% sawdust.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 7/12/2022

From what little I understand, most or perhaps all solid waste disposal facilities, e.g., landfill, are prohibited from disposing of free liquids into a landfill cell/unit which solidification helps to prevent.

Liquids could include wastewater, VSQG waste, and non VSQG waste, e.g., contaminated rain water removed from secondary containment.

My colleague, Tracy Barnes, may have more to add to this discussion considering her background in solid waste and hazardous waste.

A Chrystal Wagner, IN Compliance & Technical Assistance Program: 7/12/2022

Regarding waste solidification pits:

Here is an air permit example from Rumpke Indiana landfill with attached spreadsheet and TVOP.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 5/13/2022

Got a question that came in from a foreign country asking about waste trading regulations and requirements. I'm not entirely sure what they mean by waste trading and it sounds like it may be a Federal matter due to potential cross state border or even country lines. Anyone out there hear about this and can give some additional insight?

A Sara Johnson, NH Small Business Environmental Assistance Program: 5/14/2022

I worked with a few countries in eastern Europe on pollution prevention and regulatory compliance for small businesses. They had questions on how to implement those strategies into regulations and environmental assistance programs.

My experience of waste trading for those countries was pollution prevention. One business had "clean" waste solvent, could they sell their "waste" to be used as "product" to another manufacturer.

I worked with the Economic Resources Division. They discussed trade ports from US to other countries. Portsmouth, NH has a port and it was one of the reasons those countries wanted to work with NH rather than a larger port on the East Coast.

Can anyone from a SBDC help Donovan? I recall our NH SBDC was part of our group.

R Nancy Larson, KS Small Business Environmental Assistance Program: 5/15/2022

Not "waste," but maybe they mean "material exchange"? That is likely feasible cross borders.

A Lynelle Ladd, KS Small Business Environmental Assistance Program: 5/16/2022

Agree with Nancy, but I will say that when it comes to "waste" and how a government (whether it is US or state, or foreign) defines "waste" is important. "Inherently waste-like" versus "secondary-use" or "reuse/recycling" is going to be material specific. Some "waste" materials would be deemed hazardous and, in the US, they would be prohibited to be treated or reused without authorization or pre-approval.

Here is an example you may have heard recently. In China a company was prosecuted for harvesting “gutter oil” to use as cooking oil. <https://www.thebeijinger.com/blog/2020/07/19/xiaolongkan-exposed-selling-2-tons-gutter-oil-over-two-years>. This is an example of why laws exist to prevent secondary use of materials in certain processes or ways.

I am certain that Federal laws apply to the import of waste materials into the US from outside the country and this is not something states or local jurisdictions would be in charge of deciding. You might consider talking to someone at EPA and possibly referring the person to EPA.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 5/16/2022

In the past and perhaps present, some locations lacking facilities to incinerate or entomb their solid waste would pay for its transport to another location for that purpose.

For those enterprising entrepreneurs who thought they could obtain byproducts from air pollution control devices at power plants consuming coal then process it and sell it as a potential ingredient for wallboard, the markets for such products may have dampened their enthusiasm.

Some entrepreneurs claim to be able to process waste polymers into a fuel product more cheaply than a fuel obtained from a refinery.

IDEM makes use of the ‘Legitimate Use Approval Application Checklist’ (<https://forms.in.gov/Download.aspx?id=15040>) which includes a menu of typical solid waste and potential uses along with the ‘other’ category.

Buying and selling solid waste may be more risky than buying and selling on the stock market.

A Lynelle Ladd, KS Small Business Environmental Assistance Program: 5/16/2022

The shortage of many materials and ongoing supply chain issues has led to profiteers across the globe looking for nefarious, quick money-making ways to fill those gaps.

For example, we have a dangerously low supply of baby formula right now. The last thing American mothers and fathers need is some nefarious company from overseas selling a “waste whey product” as a safe infant formula supplement and sickening or even killing infants. Folks may think that is farfetched but look at what happened at our own US FDA-monitored infant formula facility Michigan that was forced to close. Not enough inspections are occurring at our own manufacturing facilities. Who knows what is happening in other countries that could be similar or worse?

While I think as part of our work, we want to encourage “circular economics” and reuse, we need to be careful that we are not encouraging reuse that could ultimately increase employee or consumer exposures to toxic chemicals or organisms, or result in a release into the environment via other modes.

I got to say I was a little confused by a recent webinar that was encouraging the use of Creosote railroad ties as fuel. Here in Kansas those could only be burned in a unit, such as hazardous waste-derived fuel burning cement kilns or coal-fired EGUs, that have substantial air pollution control technologies.

Q Jennifer Theodore, MN Small Business Environmental Assistance Program: 5/4/2022

Does anyone have knowledge about emission factors for laser coding on packaging? I'm working with a business that makes frozen food and they do laser coding on cases. The printing emission info I've found is for older styles of printing.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 5/4/2022

I would presume there are none. I would also presume that testing to ascertain emissions from this process has not been conducted. If testing has been conducted, I would anticipate emissions to be very low. I need to better understand what is laser coding.

There are a few different ways laser coders can mark a surface, two of them being ablation and engraving. Ablation is when a layer of material is removed, such as a layer of ink on a printed package. The amount removed is dependent on the energy the laser emits and is done without engraving into the surface. This type of marking is typically done with CO2 laser coding systems. Engraving uses a beam of energy from the laser to etch or melt a fine groove into the substrate. CO2 and fiber laser systems both produce a permanent and clean mark on a variety of substrates. <https://www.squidink.com/news/blog/laser-coding-101/#:~:text=Laser%20coding%20technology%20is%20a,printing%20systems%20are%20not%20practical>.

Laser coding versus inkjet coding - <https://www.foodmag.com.au/laser-coding-vs-inkjet-coding-whats-the-difference/>

The environmental benefits of laser engraving/marketing - <https://www.needhamlaser.com/blog/4-reasons-why-lasers-are-great-for-the-environment>

A Debra Jacobson, IL Illinois Sustainable Technology Center: 5/4/2022

Are they using inkjet printers? This is the most common type of printing technology for this type of application.

R Jennifer Theodore, MN Small Business Environmental Assistance Program: 5/5/2022

Thanks for your response! Yes, it looks like there isn't emissions data. This is a nice visual example: [Videojet Laser Coding & Marking System live in action - YouTube](#); you can see what looks like a puff of smoke while coding cardboard cases. This mentions a fume extraction system: [ss-preventive-maintenance-laser-coding-and-marking-us.pdf \(videojet.com\)](#)

R Jennifer Theodore, MN Small Business Environmental Assistance Program: 5/5/2022

They do laser coding on cases and "ink coding" for carton labels (they make popsicles). I should clarify with them, but my interpretation was they're doing inkjet printing for the carton labels.

A Lynelle Ladd, KS Small Business Environmental Assistance Program: 5/5/2022

I recently used <https://nationalsbeap.org/files/nationalsbeap/EnvCompliance/WIHeatsetPMCalc.xlsx> because a Printing facility's new [Canon ProStream 1800 inkjet press](#) had exceeded 20% opacity, validate by a method 9 performed by a KDHE inspector. Not shown in the sales image, the unit is required to be vented outside via a stack. I went to look at the operations, after reviewing inks, which were low-VOC because I thought it must be steam from building heat (it was winter) rather than actual emissions, however, I also observed a bluish haze smoke that downwashed from the stack due to inappropriate stack height and stack cap. The electric drying and speed of the press was likely causing PM emissions. I used the calculation methodology in the Wisconsin spreadsheet as a worst case calculation for the PM emissions without any other methodology I could find at the time. I'd be interested if anyone has a better calculation methodology specifically for digital inkjet printing operations. Please share. Thank you!

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 3/25/2022

Following our comments to the EPA, they have asked for any information we have on the number of 3rd generation perchloroethylene dry cleaning machines still in use and where they are located. If you have that information, please provide to Jennifer and I and we can pass that on to the EPA lead Jenn Alexander.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 3/28/2022

Wanted to follow up on a clarification of this. While EPA may request location information, I and several others that have asked me about this have noted that we should only provide numbers per state and not identifiable locations or facilities. If states wish to pass me information on the numbers found in their states that can be identified as 3rd generation machines, that would suffice and I can pass it on to EPA as support for our comments on the Subpart M rule changes.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 3/29/2022

Wanted to share this resource that may help out: https://www.dec.ny.gov/docs/air_pdf/232approvedmachines.pdf. I've been trying to go through our permitted dry cleaners and it is often not clear what generation machine it is. However, I often do find the information on what the model is. I have since found the above linked listing of NY State approved dry cleaning machines that does list them by model from multiple manufacturer and indicates that they are 4th generation. This may provide a means of checking whether an older machine is still a 4th generation machine or not if you have no other information to go off of aside from a model name.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 3/29/2022

I reached out to our air inspectors regarding observations made during inspections of dry cleaning businesses that the resumed last year. They have inspected 31 such businesses. Part of their inspection calls for them to inquire whether a Perc machine was installed after December 21, 2005. I am waiting on permission to share this information which may be in the form of a spreadsheet.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 3/30/2022

Wanted to share this as it would form the basis for the TN information on dry cleaner generations requested by EPA in relation to the NSC comments on the proposed changes to the Subpart M Dry Cleaner rule. As noted, it pretty much only covers the basics of information in terms of generation and also age. For further clarification, EPA is proposing that all 3rd generation machines would be phased out of service within 180 days following promulgation of Subpart M (proposed changes finalized potentially later this year). The comment on the proposed rule that a longer period of time should be allowed because of the expense and supply chain issues and that 180 days is a significantly shorter time than previous rule changes had allowed. For example, the previous change relating to co-located dry cleaners allowed for 10 years before compliance was required. The proposed time frame was 3 years, which is in keeping with many other NESHAPs.

If you are able, additional information could be helpful. For example:

There are approximately 195 dry cleaners in TN. Of those, 69 are perchloroethylene dry cleaners. 64 are permitted by the State of TN and 4 were positively identified as 3rd generation machines with another 14 unable to be determined. It was also found that the majority of dry cleaning machines in TN were older than 15 years (84%). Based on this research, between 6% and 28% of

perchloroethylene facilities in TN could be affected by the proposed changes and require them to replace their dry cleaning machines.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 4/5/2022

Sending this out again to hopefully prompt some input. Please send me data on the population of 3rd generation perc dry cleaning machines in your state if possible. It can be as simple as so many facilities have been inspected in 2022. Of those, so many had 3rd generation perc dry cleaning machines. Or it can be a little more involved such as of so many registered facilities based on the state DCERP, so many facilities X had 3rd generation machines, Y had 4th gen, and Z could not be identified. And also, X were younger than 15 and Y were older than 15. I would like to be able to supply this generalized data without facility identifying information (at best state identifying) to the EPA rulewriter contact by next Thursday.

Q Nancy Larson, KS Small Business Environmental Assistance Program: 3/11/2022

Our Florida P2 partner is asking a question about less toxic car wash solution. Please respond directly to Aimee at Aimee.Krivan@ocfl.net.

Hello

I'm looking for suggestions of an environmentally-friendly soap that can be used at commercial car wash facilities. I was responding to a complaint and when I asked to see what kind of soap they were using they showed me this bucket. Not sure if you can read it clearly, "Warning: Contains petroleum distillates". The wash water from this particular car wash flows directly to the storm drain.



A Belinda Breidenbach, ID Small Business Development Center: 3/14/2022

All I have is a possible resource. <https://mistercarwash.com/sustainability/> This company has a good reputation. They don't list their products but Florida could contact them.

A Sara Johnson, NH Small Business Environmental Assistance Program: 3/14/2022

I emailed the company to see if they could provide me a list of the products they use to determine if any of those products contain PFAS/PFOS. I asked them to share the environmental data sheets. Maybe they will respond, but they probably won't since they don't have any locations in NH. Maybe another state who have Mister Car Wash locations could ask?

A Jennifer Collins, IN Department of Environmental Management: 3/14/2022

Here is a search on EPA's Safer Choice website for Car Care Products.

<https://www.epa.gov/saferchoice/products>

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 3/11/2022

Has anyone worked on particulate emissions from an auto shredder or wire granulation process? Do you have calculation formula that you used? The most detailed one I have found so far was for one in Minnesota I think, but haven't been able to figure out the formula used to determine emission factors. Right now, I am looking at using process weight tables for lack of a better option. Plus, in researching this, some late 2021 documents have noted that EPA is looking more closely at emissions from such operations in terms of VOC amounts. So, that might be something coming up.

A Samira Deeb, OH Small Business Environmental Assistance Program: 3/11/2022

I wrote an air permit for an auto shredder many years ago – and the following emissions factor is the one I adapted at the time.

Auto Shredding:

The potential to emit (controlled) is estimated using an emission factor of 0.012 lbs PE/ton of metal (after water/foam spray), which was adapted from the Institute of Scrap Recycling Industries, Inc. (ISRI) "Title V Applicability Workbook" (Appendix D, Table D10.A).

I found another permit in our database that adapted the following:

Shredder Emission Factor 0.00514 PE/ton was adapted from Institute of Scrap Recycling Industries, Inc. (ISRI) "Title V Applicability Workbook," Appendix D, Table D-10F: Emission Test for Mill Defumer with No Controls. A 100% compliance margin was conservatively added. Conservatively no reduction or control efficiency was applied for foam suppression

A Sean Taylor, GA Department of Natural Resources: 3/11/2022

EPA is definitely looking at different/higher emission factors for PM and VOC at car shredding facilities. In fact, Region 4 conducted a couple of inspections at facilities near Atlanta yesterday and had previously conducted other inspections in the past couple of years for this initiative. I'm not entirely sure what the status is of trying to implement the new factors, but I know that one of the facilities inspected yesterday is being required to revise their permit before another company, who is aware of those factors, will purchase the site. I believe the purchasing company is the primary source of those new emission factors. The new factors will cause them to go from a true minor source to a synthetic minor source.

Q Lynelle Ladd, KS Small Business Environmental Assistance Program: 3/11/2022

I was talking with one of our Kansas inspectors yesterday about a new source of complaints in our Kansas City metro area related to Cure-In-Place-Pipe (CIPP) process used in the repair of residential underground pipes for sewer and drinking water. I have attached some information the inspector provided to me on

what KDHE has been looking at and it was indicated that this issue is a problem elsewhere and was discussed recently at a NACAA meeting. I don't get to attend those because I am not with our KDHE state agency. Do we have anyone in the NSBEAP NSC attending NACAA meetings and reporting back? I just never see updates on that maybe and that is my fault.

Anyway, here in Kansas we don't have any air rules to enforce on mobile sources like this. Do any other states regulate this activity under their air rules, and if yes, could you point me to your air regulations that cover this type of activity? Here is some info on the CIPP process. Here is a description of the potential issues, [Cured-in-Place-Pipe \(CIPP\): Inhalation and Dermal Exposure Risks Associated with Sanitary Sewer, Storm Sewer, and Drinking Water Pipe Repairs | Blogs | CDC](#)

Q Sara Johnson, NH Small Business Environmental Assistance Program: 3/8/2022

Does your program create an annual report that you submit to a Commissioner/Secretary, Legislature, etc., or post to a web page that highlights completed activities? I submit my annual data to NSC, but I do not create a NH specific report to be used as a flyer or promotional handout. Now my Commissioner would like an annual report and I am hoping to review other programs for ideas and suggestions. Specifically do you include data, like number of site visits, number of phone calls/emails responded to, presentation given, attendance. Is it "pretty" to be shared with others outside your agency?

In addition, do you include non-small business support in those reports. For example, I am on the NHDES Lean Team, requires monthly meetings and tasks that I track and are not included in the NSC report. However, I do spend time/resources working on this team and is important for my internal networking at my agency. Data would be 12 meetings, 12 social media posts, 2 lean events, and 5S system contest coordination. While not directly supporting small businesses, it is a chunk of time I spend on these activities. Please help me and potentially other programs by sharing your reports.

R Sara Johnson, NH Small Business Environmental Assistance Program: 3/8/2022

Would you please consider this request from a Promo Subcmte member for a draft tweet to share on any accomplishment you choose or at a minimum the success of using your social media account to put eyes on that document? Pic appreciated as well.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 3/8/2022

Ooops! I forgot to post on our social media about our Annual Report for our state. Good reminder to do that.

TN has been doing an annual report modeled after the National SBEAP report per the initial design idea that it could be used for individual states. It is posted on our website's front page along with number of annual assistances. Most of this data is prepared for the National report, so it is easy enough to put it into a flyer style report which is used during events to tell about how we help small businesses. I've attached our Annual Report flyer as an example.

We also prepare a much more in-depth report for our CAP. This report goes into much finer details of our activities, again with the data prepared for the National annual report. This may be a better model for internal reporting as we have used something akin to this for reports to our Commissioner on SBEAP activities. I've attached that report as well. Hope this helps give you an idea, Sara and Tony.

Q Sara Johnson, NH Small Business Environmental Assistance Program: 1/21/2022

Friday afternoon and I need some inspiration: I need a "cool" name of a SBEAP/SBTAP newsletter. If you have a newsletter, what did you name it? If you don't have a newsletter, what would you name it? Small Business Environmental Assistance Newsletter....is long and a little boring. The newsletter will be

a multi-media/pollution prevention/energy efficiency/hot topic one article per month. May increase frequency as needed. Have some fun with it, please and thank you

A Annette Fulgenzi, IL Small Business Environmental Assistance Program: 1/21/2022

We had Clean Air Clips. Hi SBEAP friends!

A Lynelle Ladd, KS Small Business Environmental Assistance Program: 1/24/2022

I love these kind of problems: ● Air News Now; The Air Observer; Air Regular; Air Almanac; Air Bulletin; Air Minutes; What's Up In Air; Pollution Particulars; Clear the Air; In the Air; Air Advice; Air Leaks; Emission Expose; Emission Report

A Belinda Breidenbach, ID Small Business Development Center: 1/24/2022

I'm looking forward to creative responses. Mine is titled Environmental Assistance Newsletter, shorter yet still boring. I have read to not use the word "newsletter" to boost engagement, but I continue to use it.

A Jim Plosay, AK Manager of Air Permits Program: 1/24/2022

The Breeze.

A Beatriz Milne, CT Office of Planning and Program Development: 1/24/2022

How about Small Biz View or Small Biz Connection?

Q Nancy Larson, KS Small Business Environmental Assistance Program: 1/14/2022

Did anyone do an e-mail or mail outreach to their perc dry cleaners related to the proposed perc NESHAP technology change? I see the comment period has been moved back to Feb. 22. If you did an outreach can you please share the language used?

A Tony Pendola, NC Small Business Environmental Assistance Program: 1/14/2022

DLI says that there are extremely few 3rd generation machines still out there. The NC association believes there are none here and possibly one in SC. Because of this, we are not planning on any broad outreach.

R Nancy Larson, KS Small Business Environmental Assistance Program: 1/14/2022

Right, so these proposed requirements would impact area or major sources that were constructed before Dec. 21, 2005. In Kansas, we actually have a handful of these old machines.

R John Podolinsky, MT Small Business Environmental Assistance Program: 1/14/2022

I probably should have mentioned the PERC rule change in my recent "drycleaners who use PERC newsletter" here's a link to the newsletter

fyi... <https://content.govdelivery.com/accounts/MTDEQ/bulletins/2fe6270?reqfrom=share>

You may have to click on the blank screen to have the newsletter appear....

A Mark Stoddard, IN Compliance & Technical Assistance Program: 1/18/2022

A phone survey was conducted, primarily from January to June 2021, not in response to any proposed changes to Subpart M by EPA, but at the request of the IDEM Office of Air Quality (OAQ) in July 2019. They had conducted some inspections around 2008 to 2010 tapering off to very few inspections conducted by one person. One purpose for the phone survey was to ascertain who was still using Perchloroethylene for drycleaning using available data – OAQ (many obsolete addresses), IDEM virtual file cabinet and the Indiana Business Directory (paper copy; no electronic file).

In 2012, an outreach was conducted regarding separator water disposal through the sanitary sewer. The concerns raised by the IDEM cleanup programs concerned the potential for a release of Perchloroethylene during this transit through the sewer. There were approximately 250 drycleaners at that time. As of June 2021, there are approximately 48 drycleaners that still use Perchloroethylene. It took from January to June 2021 to reduce the number of obsolete addresses to something a little more manageable. During this time frame, many repeat phone calls were made which included busy signals and constant phone ringing. If a person was reached who was willing to talk, many times they were uncertain whether they still used Perchloroethylene and less so as to the age (generation) of their machine(s).

When a person was will to talk and who was also the owner/operator and also confirmed that they used Perchloroethylene, I asked when they were last inspected by OAQ, their understanding of Subpart M and whether any help was desired. I explained that they would likely be receiving a visit by an air inspector possibly within the next two to three years making an educated guess as to the time frame.

In a few cases, language was a barrier to understanding the person responding to a phone call. The Covid-19 pandemic had interfered with the complete transition from Perchloroethylene to an alternative solvent based on an inability to obtain a new machine. During the phone survey, several entities ceased to operate as businesses or as a drycleaner. In the case of the latter, becoming a drop off store.

Many of the entities were motivated to cease using Perchloroethylene due in part to the approaching culmination of ongoing remediation efforts. It seems that liability insurance that covered the cost of the remediation would cease to be effective once a 'no further action letter' was received by the covered entity. Some owners were reluctant to change machines/solvents due to usage demands being low who were also nearing retirement. They suspected that they would either be able to sell their business or that it would close and customers would be required to travel further should they require drycleaning services.

In a few cases, visits were made to be able to speak with someone to confirm the use of Perchloroethylene. In a few other cases, had I not been able to invoke some past relationship, e.g., having spoken to a father of a current owner, I would have been ignored.

Q Renee Bashel, WI Small Business Environmental Coordinator: 12/14/2021

Have any of you been directly involved in an Exchange Network grant project for your state agency? These are IT project related, but it might have been something involving streamlining of permits or regulatory reporting systems. If you were involved, are you able to share your grant proposal? I'm looking for examples for a potential project.

Q Donovan Grimwood, TN Small Business Environmental Assistance Program: 11/19/2021

Has anyone out there worked with a closed system polyurethane foam fabricator? We are working with a facility that uses a closed process drawing a vacuum to create uniform blocks of polyurethane foam. I've come across another facility that referenced an EPA study title **Developing a National Emissions Inventory for 4, 4'-Methylene Diphenyl Diisocyanate**, however, I haven't been able to figure out a formula to use from it. The estimated emissions for a foam producer seems to only be 3 lbs./year according to Table 5, though it gives no context on emissions as a function of production. I do agree that the use of vapor pressure is a good one and relates to the development of the Unified Emission Factors for styrene. Just can't figure out the formula being used.

Q Lee Ann Briggs, PA University of Pittsburgh Small Business Development Center: 11/8/2021

I'm looking for some guidance/suggestions related to the shredding of wires and the recovery of copper from the shredded wires. I have a small business I'm assisting with an Air Permit and I'm trying to find emission factors relevant to wire shredding.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 11/9/2021

Versatile Processing's minor source operating permit was renewed on September 25, 2019. It seems that business was not going well and they requested a revocation of their permit which was issued July 14, 2021. There were no other examples that I could find.

Page 42 of 47 of their permit renewal, <https://permits.air.idem.in.gov/41456f.pdf>, shows that the air permit reviewer used a mass balance methodology for determining potential emissions of particulate matter.

I find that a process that involves shredding, granulation, grinding, mincing, cutting, abrading, etc. (anything that creates a particle of any size) relies on a mass balance approach or is based on the capacity of the downstream emissions control unit, e.g., baghouse.

Sometimes a shredding/grinding process is followed by a separation process using a cyclone to separate material based on specific gravity which is then followed by an emissions control device. As the cyclone could be construed to be part of the production process, potential emissions would be dependent on the capability of the cyclone.

Q John Podolinsky, MT Small Business Environmental Assistance Program: 10/14/2021

Montana has seen an uptick in discovering PCE releases from drycleaners; most of them are historical releases to the ground and groundwater. In response, I plan on writing a newsletter to drycleaners across Montana emphasizing proper chemical handling practices to avoid releases and offering pollution prevention assistance. Rather than re-inventing the wheel, I'm looking for related articles to poach. If you have such an article, feel free to share it with me.

A Tony Pendola, NC Small Business Environmental Assistance Program: 10/14/2021

This is quite old but may be helpful. We find that almost all drycleaners can be VSQGs.

A Sara Johnson, NH Small Business Environmental Assistance Program: 10/15/2021

You may need to consider PFAS as well.

HOW ARE DRY CLEANERS INVOLVED?

I'm sure that you all know better than I do, the whole host of products that have been available through the years to make textiles, rugs, and leathers waterproof and stain-resistant. Clearly, these are the primary connection between the dry-cleaning industry and PFAS, although there has been some discussion regarding detergents and other additives during the cleaning process. The theory is that during the cleaning process, some of the PFAS enter the waste solvent solution. As such, anywhere there has been an environmental release of dry-cleaning solvent to the subsurface, the presence of PFAS is also possible because materials treated with related products may have been cleaned at the facility. The dry-cleaning operations that actually performed waterproofing would be the most at risk.

<https://www.enviroforensics.com/blog/emerging-contaminant-alert-for-dry-cleaners-pfas-is-the-new-bad-guy-in-town/>

<https://floridadep.gov/waste/waste-cleanup/content/drycleaning-solvent-cleanup-program-state-funded-pfas-sampling-efforts>

<https://www4.des.state.nh.us/IISProxy/IISProxy.dll?ContentId=4823559>

A Nancy Larson, KS Small Business Environmental Assistance Program: 10/18/2021

Here is an article we developed on Perc dry cleaners – it is dated Feb. of 2021.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/18/2021

I had provided the attached document (April 2014) as an article in a newsletter published by the Midwest Drycleaning & Laundry Institute (Indiana & Kentucky at that time). It was a means of refreshing the memories of this particular industry sector that CTAP does offer and provide confidential compliance assistance. However, the members of this association tended to be more proactive and less in need of help than the non-members.

Q Mark Stoddard, IN Compliance & Technical Assistance Program: 10/4/2021

What does your state require of a testing facility with respect to adhering to current state and/or federal environmental regulations if the facility wishes to engage in the testing of certain batteries, primarily Lithium based, which might cause explosions and/or fire? Would that include issuing an air permit? If yes, what conditions would be added to the permit? How would the residue or byproduct of testing be managed? **Testing might include the following: Mechanical** (penetration, crush, impact, immersion), **thermal** (over temperature, propagation, calorimetry) and **electrical** (overcharge, short circuit, over discharge)

Q Nancy Larson, KS Small Business Environmental Assistance Program: 10/1/2021

We are putting together an article for the ASBO newsletter on voluntary disclosure processes. Does your state have a state-specific process or [do you use EPAs?](#)

R Clovis Steib, US EPA Region 6: 10/1/2021

I'm afraid I'm unfamiliar with the Voluntary Disclosure Process in general and am unable to give you an informed answer to your question.

A Mark Stoddard, IN Compliance & Technical Assistance Program: 10/3/2021

<https://www.in.gov/idem/ctap/self-disclosure-and-environmental-audit-policy/>

A Anita K. Singh, MI Small Business Environmental Assistance Program: 10/4/2021

Information on Michigan's Environmental Audit Privilege & Immunity Program: https://www.michigan.gov/egle/0,9429,7-135-3307_3666_4135---,00.html.

A Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/4/2021

TN mirrors the EPA voluntary disclosure process. Here is a link to the TN Self-Disclosure Policy and form for requesting a monetary penalty waiver: <https://www.tn.gov/environment/program-areas/sbeap-small-business-environmental-assistance/sbeap-additional-information/sbeap-additional-information/tdec-self-disclosure-policy.html>. I will note that working with the SBEAP is one of the options that can be checked for requesting the monetary penalty waiver.

A Alexis Andrews, OH Small Business Environmental Assistance Program: 10/5/2021

Here is a presentation our Legal team at Ohio EPA did about our Voluntary Disclosure/Audit Process: <https://www.epa.state.oh.us/Portals/0/general%20pdfs/ComplianceConference/LegalPriorities.pdf>

[rities presentation.pdf](#) (the VAD info starts on slide 24). More info can be found here: <https://www.epa.state.oh.us/Portals/0/general%20pdfs/audit.pdf>.

Q Jennifer Wittenburg, IA Air Emissions Assistance Program: 9/15/2021

We are looking to develop a self-audit/inspection ready guide for small businesses related to air quality requirements. Has your state created something similar that they would be willing to share with us? It does not need to be air focused as we are looking for ideas for formatting and functionality as well.

Q Tony Pendola NC Small Business Environmental Assistance Program 8/19/2021

At our last regional meeting there was a discussion about CAPs. We heard the familiar refrain that the CAP was inactive due to the trouble of getting the required appointments. That got me thinking. We could use a work around other than to call trade association contacts a CAP alternative? I know we are all sensitive to the power and influence of the people who are supposed to make the appointments. But if we could ameliorate the issue without insulting them or taking away their rightful power it would be a win-win. My proposal is to send the letters asking for the appointments which often include a list of potential candidates, but also include the name of an appropriate candidate that will automatically fill the slot in an acting position at a date in the certain future (maybe 120 days) until and unless they appoint someone else. That way they are still in control, but we are covered in the event of inaction. Has this ever been tried? What are the pros and cons?

A Melissa McGee-Collier MS Small Business Environmental Assistance Program 8/20/2021

To my knowledge this has not been tried in MS. I am thinking that it would probably require a change in the regulations.

A Sara Johnson NH Small Business Environmental Assistance Program 8/20/2021

Yes, I have submitted in writing many potential candidates to our state officials to serve as CAP members. This does work. However, that is not my problem. My problem is finding volunteers from the “general public” who don’t represent small business. I have tried environmental non-profits, NH Dept Env Svs retirees, etc. I can’t seem to find anyone to volunteer to be part of the CAP. Finding a small business owner to dedicate time to the CAP is another issue. Now that we have some remote capabilities, that might help.

A Donovan Grimwood TN Small Business Environmental Assistance Program 8/20/2021

I agree with Sara that submitting lists does help. If there are several contacts that you have that might be willing to be on the CAP, that helps the appointing person in the event that they don’t have a contact or idea of someone. I’ve usually not submitted a list initially. If the appointing person doesn’t respond, then I try to develop a list. For my list, I usually have a few association contacts, ask amongst the current CAP members, or reach out to our External Affairs as well as Office of Policy and Sustainable Practices which now manages some of the acknowledgement award programs such as our Green Stars. As for the providing a time limit prior to an automatic appointment... I’m not as sure about that. You should run that by your Office of General Counsel or similar to check as to what they say. With the other boards that a department has a stake in, there may be some precedent or there may not. But as Melissa said, it may require a change in the regulations or a policy at a State level and depending on how they interpret the Federal level.

Q Jenifer Dixon MI Small Business Environmental Assistance Program 8/17/2021

In Michigan we are starting to work on the additional measures we may need for ozone attainment reclassifications. I know many states are or have been in the same boat. We are looking at some potential changes - one being updating our current Reasonably Available Control Technology (RACT) rules. While working through some of the coating categories (e.g., automobile and light-duty truck assembly coatings;

paper, film, and foil coatings; and miscellaneous metal and plastic parts coatings) our workgroup has expressed interest in adding additional language beyond the CTG to provide more flexibility for facilities to meet “RACT”, especially small businesses which may be more affected by these changes. Below are a few of the ideas we had:

- Examples of rule language that provides an option to allow facilities to propose alternate RACT.
 - Interested in what is required of the facilities to submit, as well as, any additional language or demonstration the State agency had to provide in order to get this option approved by EPA.
- Examples of rule language that allows facilities to indicate a recent BACT demonstration could be considered equivalent to RACT.
 - Again, interested in what facilities had to submit to make this type of demonstration and any demonstration State’s had to make to EPA to prove this was a viable option for RACT in their SIP submittal.
- Examples of rule language which incorporated applicable NESHAP/NSPS/federal regulations for their coating RACT rules.

Have any other states have incorporated similar options or other innovative things into their RACT rules? Are there other rules states have added or changed to help deal with this?

A Michelle Spitznagel MA Office of Technical Assistance 8/17/2021

This and very similar language occurs throughout the [Massachusetts RACT regs](#). I believe the EU’s REACH regulations also have a similar component of giving extra compliance time in exchange for a pollution prevention solution.

(c) Extensions. Any person subject to 310 CMR 7.18(3)(a)2. may apply in writing to the Department for a nonrenewable extension of the implementation deadline in 310 CMR 7.18(3)(a)2. by complying with 310 CMR 7.18(3)(g). The Department will consider a nonrenewable extension of the deadline in 310 CMR 7.18(3)(a)2. for persons applying under 310 CMR 7.18(3)(c) until no later than March 9, 2021, provided the emission control plan submitted for approval under 310 CMR 7.18(20) meets the following criteria in addition to those of 310 CMR 7.18(20):

1. a Toxics Use Reduction Plan or a Resource Conservation Plan completed for the facility in accordance with 310 CMR 50.40 through 50.48 is submitted as part of the emission control plan;
2. the Toxics Use Reduction Plan or Resource Conservation Plan was certified by a Toxics Use Reduction Planner certified under M.G.L. c. 21I, and 310 CMR 50.50 through 50.63;
3. the emission control plan proposes to reduce emissions or natural asset use, from the process or elsewhere in the facility, more than otherwise required pursuant to an applicable regulation or approval of the Department, through toxics use reduction techniques or resource conservation actions as defined in M.G.L. c. 21I; and
4. implementation of the emission control plan meets the emission limitations of 310 CMR 7.18(3)(d).

A Tony Pendola NC Small Business Environmental Assistance Program 8/17/2021

I would take a hard look at which counties may be limited in their capability to produce ozone by the amount of NOx emitted due to a plethora of VOCs that appear to be largely biogenic in much of Michigan. If, like North Carolina, Michigan is “NOx-limited”, cutting VOC emissions may not reduce ozone emissions because there will still be too many VOCs and not enough NOx to combine with them to form ozone. That could reduce the need for VOC-based RACT rules.

Q Renee Bashel WI Small Business Environmental Coordinator 7/28/2021

Does anyone have experience with permits/permit exemptions for digital presses and/or hybrid-digital/flexo presses? We are learning more about them with the printing industry’s help as more printers add them to

their operations in Wisconsin, but I would like to learn whether any of you have worked on permitting or exemptions of them in your state. Most of them we see have been categorized as “insignificant” with limited emissions information provided. If you have worked with them, can you send examples of calculations or related information?

A Jennifer Lipkin NV Small Business Environmental Assistance Program 7/28/2021

The department has several printing operations permitted in Clark County. The department includes the VOC emissions for solvents, cleaners, etc. at 100% for gallons proposed. They also include the VOC in the inks proposed but give a 95% default retention factor. I attached a recently issued permit and TSD. The local minor source permitting threshold is 5 tpy for VOC.

A Nancy Larson KS Small Business Environmental Assistance Program 7/28/2021

I’ve helped printers source-reduce solvent use to reduce VOCs and HAP to comply or avoid air permits, but not worked with exemptions. There can be major reductions by identifying, documenting and distributing only prescribed solvent quantities; this includes securing access to the solvent, so only the crib manager has access. [Gary Jones](#) of the PIA is an awesome resource (Marci too) if you have not already worked with them.

R Renee Bashel WI Small Business Environmental Coordinator 7/29/2021

Yes, I am working with Gary and Marci but wanted to track down any digital presses out there that may not be reaching the level of needing their help to get exemptions or permits.

A Mark Stoddard IN Compliance & Technical Assistance Program 7/29/2021

I have been collecting information from a variety of information sources including Gary Jones to prepare a presentation on sustainability and pollution prevention in the graphic arts/printing industry to be delivered to graphic arts students attending Ball State University in September. Gary and I spoke for a couple of hours last month and I was busy scribbling down information while he spoke. It seems that air permit writers like to make all printing lithography although a few have identified specific information identifying a type of printing or graphic arts operation or a type of ink. Attached is a list of regulated entities engaged in printing/graphic arts, many of which, have a sustainability focus and are moving towards more digital, HP indigo, short run digital, UV, nanography, etc. Additionally, I attempted to capture emission calculations from PDF documents of which I may be drawing from to show the current state of what such entities are using and potentially emitting. However, there are entities that are using digital and/or UV whose emissions are low enough to make them exempt from air permitting.

It seems that the IDEM Office of Air Quality Permits Branch has a narrow focus concerning printing that they sometimes refer to as surface coating. They will reference fountain solutions, low VOC inks, lithography, [web & sheetfed] offset, heatset & non-heatset. I have conducted a [cursory search](#) of the IDEM virtual file cabinet for the term “digital press” as well as the [air permitting database](#) when I have obtained the name of a business

- [Georgia-Pacific Corrugated air permit](#), pg 77 of 85 (emission calculations–digital press 1)
- [Cenveo Worldwide Limited air permit](#), pg 35 of 55 (emission calculations - four digital presses, HP image oil (indigo ink))
- [American Fuji Seal air permit](#), pg 46 of 55 (emission calculations – HP digital press)
- LSC Communications Kendallville Digital – [Source Specific Operating Agreement](#) which limits pollutants, volatile organic compounds in this case, to less than twenty percent of a Title V threshold (100tpy or 10/25 if the VOC is also a HAP)
- [LSC Communications \(Crawfordsville, IN\) air permit](#), pg 282 of 287 (emission calculations – HP Indigo (imaging oil) 7600)
- [Premier Packaging air exemption status](#), pg 11 of 15 (emission calculations – water-based inks)

- [Bomarko air permit](#), pg 48 of 56 (emission calculations– low %wt. VOC inks; rotogravure process)
- [Essentra air exemption status](#), pg 16 of 24 (emission calculations – UV Ink/roller wash)

I am hoping that Jennifer Collins and myself can possibly engage with Gary Jones later this year or next to ascertain what we can do to better help Indiana printers/graphic arts entities understand their environmental obligations and how to comply.

Q Phyllis Copeland SC Department of Health & Environmental Control 7/20/2021

Has anyone evaluated the emissions from [this franchise operation](#)? The process description we have identified so far is:

Alloy Wheel Repair Specialists performs repair services on aluminum wheels which may include stripping existing coating from wheel, straightening bends and coating refinishing. Site activities can be separated into surface prep and surface refinishing.

Surface Prep: After the tire is dismounted, the wheel is spun to check for bends. If bent, the wheel is straightened using a Zetamak RSM 2600 Wheel Straightener. Next, the finish is stripped using Greensolv Wheelstrip 273WL in one of three heated dip tanks followed by cleaning with Dawn detergent. Surface repairs are done using TIG welding with ER5356 aluminum rod and sanding using assorted hand sanders and/or grinder.

Surface Refinishing: Three types of wheel finishes are provided: powder coated, machined and polished. Powder coat primer is applied in an open face booth with a wall filter and exhaust fan followed by curing. Next the colored powder coating is applied and cured. For a powder coat finished wheel, the powder coat clear coat is applied to complete the job. For a machined finish, the wheel is CNC machined prior to application of the powder coat clear coat. For the polished finish, the wheel is polished in a vibratory polished using ceramic beads and a liquid polish and water mixture prior to application of the powder coat clear coat. Small amounts of wet paint are applied as needed.

Q Lee Ann Briggs PA University of Pittsburgh Small Business Development Center 7/13/2021

Looking for any suggestions you may in finding an emission factor **OR** another way to calculate emissions for methyl methacrylate (MMA) for a resin “manual” application process. The unified emission factors for open molding of composites (July 23, 2001) provides a factor for “gel coat” application only (0.75 x % MMA).

Q Renee Bashel WI Small Business Environmental Coordinator 7/13/2021

I would like to learn what sort of training resources other states rely on for their asbestos inspectors. We have a bunch of new ones coming in and our air program asked if I was aware of anything. I do help organize a training for contractors in Wisconsin, but that doesn’t have the level of regulatory detail the inspectors need.

A John Podolinsky MT Small Business Environmental Assistance Program 7/13/2021

Most states rely on the AHERA (asbestos hazard emergency response act) inspector coursework guidelines found in appendix C of the AHERA regs, also called the Model Accreditation Plan (MAP). Here’s a [link](#) to the MAP, please see page 904 for what an asbestos training course provider would teach someone who wants to become an asbestos inspector. Bear in mind AHERA was written in the late 80s and re-written in the early 90s; it was groundbreaking stuff back then; much has changed in the asbestos industry since then. You probably know all this stuff, but the initial inspector class is a 24-hour class. Such training, plus a license (accreditation, from the state in which you want to do asbestos inspections) allows one to inspect for asbestos in schools and other public/commercial buildings. EPA used to accredit individuals, but it got out of that business years ago. Now most states license asbestos personnel (worker, contractor/supervisor, inspector, management planner, project designer, project monitor) who work in a particular state. Becoming an accredited asbestos inspector not only allows one to conduct asbestos inspections and 3-year re-

inspections in schools, but also building demolition and renovation activities for asbestos per the asbestos NESHAP (40 CFR Part 61, subpart M). Interestingly, OSHA doesn't require accreditation to inspect for asbestos prior to doing asbestos construction work, (29 CFR 1926.1101) but one must be trained (certified) in accordance with AHERA MAP.

Asbestos training course providers are also usually licensed by the state in which they teach. The best ones have been in the business for a while and have much experience; new ones have a steep learning curve. Montana is restricted by our "stringency laws" in requiring more than what the MAP requires; state regs aren't allowed to be more stringent than federal requirements. As such, the bar isn't very high. I would hope to think Wisconsin is steps ahead in terms of training course requirements. Alas, training courses are notoriously boring and many simply regurgitate the same information from year to year. When I ran Montana's asbestos control program, we encouraged TCPers to bring in health experts, attorneys, and others who were savvy about asbestos. We encouraged TCPers to make their trainings more interesting.

If you're interested here's a [link](#) to an AHERA 101 presentation I gave in the Spring: The first 15 minutes is devoted to school safety then I address AHERA basics.

A Trayce Moore-Thomas MS Small Business Environmental Assistance Program Technical Assistance Coordinator 7/20/2021

Here in MS our asbestos inspectors are trained through the MS State University Extension Center. Anyone wishing to receive Asbestos Inspector Certification in the state must go through them. Let me know if you need more specific details. I'll be glad to get them for you.

A Jennifer Lipkin NV Small Business Environmental Assistance Program 7/21/2021

According to the Clark County asbestos inspectors:

In Nevada, you must receive your training/refreshers through an EPA approved training provider like The Asbestos Institute or equivalent. Then, you must submit your certifications to NV OSHA for review. Medical surveillance and respirator fit testing is also required. NV OSHA will then issue an asbestos inspector license if everything checks out. See Nevada Administrative Code (NAC) NAC 618.910 through NAC 618.948.

A Mark Stoddard IN Compliance & Technical Assistance Program 7/21/2021

<https://www.in.gov/idem/asbestos/training-and-licensing/>
<https://mylicense.in.gov/everification/Search.aspx?facility=Y>

search criteria drop down menus:

Profession: Asbestos

License Type: Asbestos Training Course Provider

Using the search criteria and paring it down to include only active and pending, attached is a list of asbestos training course providers.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 7/6/2021

How many of you are working with oil and gas producers (small businesses) who are or have installed crude oil storage tanks, produced water tanks, oil/gas separators, flares, engines, etc. and also have the means to calculate the emissions from these processes, particularly emissions from crude oil storage tanks, water storage tanks and oil/gas separators?

If you can please take the time to answer the following questions, I would greatly appreciate it:

- How many small oil and gas companies have you assisted with initial air permitting of oil/gas extraction activities?
- Have you assisted small oil and gas companies with PTE or actual emission evaluations of ongoing operations?
- What methods are you using to calculate the crude tank, water tank and oil/gas separator emissions?

- If you are using emission calculation tools developed by a consulting firm, what are the costs of use licensing for those tools?
- If you are not using emission calculation tools developed by a consulting firm, has your air pollution control agency developed emission calculation tools/methods for VOL storage tank emissions and for oil/gas separator emissions?

If anyone from EPA is reading this, has EPA evaluated the tools and data needed by State agencies, particularly by SBEAPs, to assist small businesses establish or evaluate PTE, and maintain compliance with current rules for oil and gas extraction?

- E.g., Kansas pollution control agency has not purchased licensing to use emission calculator tools or apps that are used by consulting firms to determine oil and gas extraction emissions, tank emissions (since EPA's Tanks 409.d is no longer supported and has not been updated or errors fixed), or oil/gas separator emissions – to be able to validate or independently calculate emissions for permitting actions or reassessments.
 - Does EPA plan to address this gap in technical capabilities between consulting/engineering firms and SBEAPs (or state agencies)?
- Is this technology gap (lack of tools or easy methodology to calculate emissions for this industry type) something that needs to be addressed via this advocacy panel? [Potential SBAR Panel: Review of the Oil and Natural Gas New Source Performance Standards | Regulatory Flexibility for Small Entities | US EPA](#) As providers to small businesses, can NSBEAP write up something in response and support as well as ask EPA to evaluate the emission calculation methodologies and expense to small business when most of the methods are under the licensing and control of consultant firms, and not easy access to small business (or even government entities or SBEAPs to assist the small business)?

A Donovan Grimwood TN Small Business Environmental Assistance Program 7/6/2021

In TN, we have not worked directly with oil and gas producers as of yet. Closest has been some gasoline bulk storage/marketers in relation to 6B and 6C NESHAPs. As such, we have not developed any tools or outreach items on this subject. At best, we may use TANKS 409.d for any requests to calculate storage tank emissions. I did request a list of oil and gas producers in the state from our Division of Geology as a preliminary step towards any potential outreach. From that list, there are somewhat over 200 O&G producers in TN that may be affected by any new O&G rules.

Q Phyllis Copeland SC Department of Health & Environmental Control 7/2/2021

Looking for any emission factors and determinations used for cutting metal using an oxypropane torch. Unable to find any "torch cutting" emission factors and only factors found are for "scarfing" when encountering torch cutting processes in AP-42 Section 12.5-12. We have a small facility cutting down large chunks for metal prior to selling it as scrap.

A Mark Stoddard IN Compliance & Technical Assistance Program 7/2/2021

I searched this [database](#) using 'oxypropane' in the 'full text search' field finding 33 results, two of which are included below (web links to permits) where the air permit writers differed on their approach, one using the emission factors for 'oxyacetylene' and the other using emission factors for 'oxymethane' (attached spreadsheet). The former results in greater emissions than the latter.

[83160314](#) page 60 of 68

[83151056](#) page 23 of 33

Q Crystal Warren TN Small Business Environmental Assistance Program 7/1/2021

Tennessee has had a recent surge in establishment of small-scale meat processors. Many are in rural areas that do not have access to a municipal wastewater treatment plant. Because of this, the facilities end up discharging into septic systems. TN staff are currently trying to determine which is the best permitting route

for the process wastewater, which may or may not be septic systems. Since the TN SBEAP receives so many assistance requests from the small-scale meat processors, I'd like to learn:

1. How do other states permit wastewater discharge from small scale meat processors?
2. How is the amount of process wastewater determined per head? Are all animals calculated the same, or are there different amounts determined per animal? For example, deer = 50 gal/head, and cattle = 450 gal/head. How were these numbers obtained?

A Carol Paden OK Department of Environmental Quality 7/6/2021

This first [link](#) is a list of frequently asked questions that we developed when the phone started ringing off the hook. This second [link](#) is our application form for such a facility. This third [link](#) is our general permit and fact sheet for the general permit this type of operation would fall under. Your first line of defense is screens on all the drains. These screens should be sized such that they will catch most scraps and they should be cleaned at least daily. (More often if they clog up.) Your second line of defense is a septic tank. It must be cleaned as often as necessary to keep oil and grease out of the impoundment. The final treatment unit in most of our facilities is an impoundment. Estimating the amount of water such a facility is going to use is difficult because it varies a great deal. Some facilities say 100 gallons per cow, but that is going to vary a lot.

Q Eleanor Divver UT Small Business Assistance 4/15/2021

Wondering if any of you have ideas/suggestions of other states' SBEAP successes during National Small Business Week May 2-8, 2021. I am meeting with our PIO's to discuss what Utah's SBEAP program would like to focus on to assist small businesses.

Q John Podolinsky MT Small Business Environmental Assistance Program 4/14/2021

I'm working with an auto repair shop on the purchasing of AC refrigerant. I understand there are certain restrictions and requirements per EPA. I'm trying to locate someone at EPA but have yet to find a contact. Does anyone have such a contact?

A Donovan Grimwood TN Small Business Environmental Assistance Program 4/14/2021

I think Margaret Sheppard (Tel. 202-343-9163, Email sheppard.margaret@epa.gov) who spoke to the NSC Technical Subcommittee in February on the Significant New Alternatives Policy (SNAP) would be a good contact to start with. SNAP is focused on changes to refrigerants, including those in motor vehicles, and so even if she isn't the actual person to answer the question, should be close enough to know who can. This [EPA page](#) may also help.

A Mark Stoddard IN Compliance & Technical Assistance Program 4/14/2021

Do you mean R134a/HFC-134a? Excerpted from this EPA [page](#).

HFC-134a	R/N	0	1,430	A1	March 18, 1994; July 20, 2015	<p>Unacceptable as of Model Year (MY) 2021, except where allowed under a narrowed use limit through MY 2025. [1]</p> <p>Acceptable, subject to narrowed use limits, for vehicles exported to countries with insufficient servicing infrastructure to support other alternatives, for MY 2021 through MY 2025. [1]</p> <p>Unacceptable for all newly manufactured vehicles as of MY 2026. [1] Detailed conditions apply - see rule.</p>
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Margaret would probably be a good contact to ask questions. Also, this [EPA page](#).

A Tony Pendola NC Small Business Environmental Assistance Program 4/14/2021

Information on the certification required to purchase refrigerants can be found [here](#).

Q Lynelle Ladd KS Small Business Environmental Assistance Program 3/30/2021

Does anyone have any calculation tools related to bulk liquid fertilizer loadout? I have a client that loads liquid fertilizers into tankers from bulk tank storage. I didn't want to use calculations related to gasoline bulk loadout, like you'd find at a refinery, so I was hoping in some of the midwestern states someone has dealt with these? Also, does anyone have a good methodology for calculating liquid fertilizer mixing operations?

Q Lynelle Ladd KS Small Business Environmental Assistance Program 3/29/2021

As part of our project work for our state agency funder, KS SBEAP has developed a new emission calculation spreadsheet and a companion guidance document for the Hemp Processing industry (scroll to the bottom of [this webpage](#) to view). While the summary results will identify permitting triggers for Kansas processors under our rules, the tool could be used by anyone to obtain emissions from their operations. You will see familiar equipment processes and this tool was designed to be a "one-stop shop". We tried to incorporate processes that we believe we would see in these types of operations, considering most new owners/operators in Kansas are people with little to no knowledge about air quality rules in Kansas or under EPA. Going forward, as the use of hemp products expand beyond CBD and into bioplastics and other manufacturing uses for hemp, we may update, or would calculate the additional emission processes separately.

R Lynelle Ladd KS Small Business Environmental Assistance Program 3/30/2021

I had a couple of good questions about the tool that I thought I'd share with everyone.

Currently, the dryer emissions in the excel are based strictly on AP-42 combustion emissions and AP-42, Section 9.9.4 **Alfalfa Dehydrating** – dryers.

In Kansas, we do not have current stack testing emission data to begin to formulate VOC emissions from Hemp. We see this as a similar situation to when we experienced the ethanol boom in Kansas and had no sufficient emission data for distillers' grain dryers and VOC emissions. So, the closest we can get right now, we believed, is a similar process: drying alfalfa. Although it is obvious that the cannabinoids in Hemp will vary greatly on species, here in Kansas our current legal hemp is restricted on THC content, aka industrial hemp is all that is allowed to be grown, harvested, processed, distributed, etc. Once we start seeing trends in emissions from dryers, the changes to the spreadsheet can be made to update for new emission factors.

R Lynelle Ladd KS Small Business Environmental Assistance Program 3/30/2021

I am on a conference this morning for Hemp in Kansas. Shout out to Kentucky, Hemp Wood, a company in Kentucky making wood products from hemp, is being highlighted in this meeting.

Although our current tool does not address the multiple ways hemp can be used in manufacturing, we are likely to see similar processes, similar chemicals used for holding fibers together to make solid substrates (e.g., plywood manufacturing) and treatment. This is where we already have knowledge and expertise of emissions from related processes (e.g., instead of it being from trees or other plant products, same potential emissions from using hemp to make a product.)

The main focus of the tool is to help the small owner/operator to understand that there are some basic emission units or activities they may be using that are regulated under the EPA and Kansas air regulations, regardless of the industry-type. 😊

Anyway, I am a little frustrated right now however because they are highlighting hemp plastics and **STILL** talking about how these products will breakdown in the LANDFILL! Ugh! Can't we compost those? I would like to think that is a better option for disposal if possible. Are any other states looking at hemp plastics and composting of the hemp plastic waste?

Michelle Gillham AR Department of Energy and Environment 3/23/2021

For any who conduct trainings, I was wondering if you might be able to help a colleague who is conducting a bit of research. She has just a few questions:

1. What system do you use to assign, deliver, track, and assess training for your employees and/or publics? For instance, do you use a software system, such as a learning management system (LMS) or learning experience platform (LXP)? If so, is this a purchased system (which one) or something developed internally?
2. What do you like about the system you use?
3. What do you wish you could change about the system you use?
4. If available and willing to share: how many users and cost of system?

Q Phyllis Copeland SC Department of Health & Environmental Control 3/22/2021

Are new portable units, for example Air Burner S220 Roll-off, exempt from CISWI?

A Donovan Grimwood TN Small Business Environmental Assistance Program 3/22/2021

An ACI should be subject to CISWI rules (40 CFR 60 Subpart CCCC Standards of Performance for Commercial and Industrial Solid Waste Incineration Units (Sections 60.2242 and 60.2245 through 60.2260). They also appear in 40 CFR 60 Subpart 4D (CISWI Emissions Guidelines and Compliance times), 4F (OSWI before 2004), 4E (OSWI after 2004 and NSC commented on. Proposed amendments have not been implemented yet in a final rule), and Eb (Large Municipal Waste Combustors after 1994) I have found out that our APC is permitting ACI on a per case basis as to whether Title V (major source) permitting or area source permitting applies, especially in relation to municipality-controlled sources.

A Lynelle Ladd KS Small Business Environmental Assistance Program 3/22/2021

In Kansas, too. NSPS CCCC for units not owned by municipalities or county government and NSPS DDDD for those operated by municipalities and county government. All had to go through Title V permitting in Kansas. We tried to permit them initially under FESOPs, but our EPA region said “no, the rule requires Title V”. However, prior to EPA cramping down on Kansas about this, we were permitting them under our simple “open burning” authorizations and that all went through the local fire departments and our air control inspectors in their respective district offices!

A Christine Paulson IA Small Business Air Quality Liaison 3/22/2021

I believe that EPA proposed rule changes to OSWI (which I think may also affect CISWI) that would exempt ACI units that burn only landscape waste and clean lumber from getting a Title V Permit. Not sure where that proposal is now with the new administration. I am sure it is being reviewed. Portable or temporary ACI or other incinerators have never been exempted from CISWI or any of the other incinerator NSPS and Emission Guidelines solely because they are temporary or portable.

A Donovan Grimwood TN Small Business Environmental Assistance Program 3/22/2021

Jim in Alaska has provided additional comments to EPA concerning portable/temporary ACIs. Especially a particular unit that is essentially a burn barrel, but includes I think a venturi air inlet that enables it to function as an ACI. He shared Alaska’s comments and information with SBEAP main at about the same time the NSC was submitting comments in support of EPA removing ACIs that only burn landscape waste and clean lumber from the OSWI rule. Hopefully EPA makes additional changes based on the Alaska comments.

A Renee Bashel WI Small Business Environmental Coordinator 3/22/2021

Those rule changes were finalized April 16, 2019. I think that puts it outside the timing for automatic reconsideration by the new administration. ACIs are no longer automatically Title V sources.

A Donovan Grimwood TN Small Business Environmental Assistance Program 3/22/2021

The NSC commented on 40 CFR 60 Subpart EEEE which is the OSWI rules. The CISWI rules are similar, though applicable to somewhat different sources. In the FR that you included, Section 60.2242 states that: “Yes. Each CISWI and ACI subject to standards under this subpart must operate pursuant to a permit issued under Section 129(e) and Title V of the Clean Air Act.” In section 60.2245(b), an ACI that burns only 100% wood waste, clean lumber, or yard waste, are required to meet the requirements under 60.2242 (above) and 60.2245-2260. This indicates that they should be Title V sources. I would rather they not be and why we commented on the OSWI to support that change.

Here is also the relevant section from the commentary that indicates, at least for the 4C CISWI rule, they are automatically Title V sources. Pursuant to CAA section 502(a), sources subject to standards or regulations under CAA section 111 must obtain a title V permit; therefore, ACIs are required to obtain a title V permit. As commenters note, the EPA may exempt minor and area sources from the requirement to obtain a title V permit, but the EPA must first determine that compliance with title V requirements is “impracticable, infeasible, or unnecessarily burdensome” for the sources before exempting them (CAA section 502(a)). The EPA has not made the necessary finding pursuant to CAA section 502(a) for ACIs in any of the CAA section 129 rulemakings, and we believe that ACIs exist at CAA section 129 facilities other than at the commercial and industrial facilities subject to this final rule. Because we think it is important to treat all ACIs in the same manner, we decline to consider a title V exemption for minor and area source ACIs at commercial and industrial facilities.

As the record demonstrates, the EPA determined that ACIs located at commercial and industrial facilities are CISWI-affected sources that must be included in state plans and regulated consistent with the final CISWI standards applicable to such units. To address the uncertainty created by the CISWI rule, the EPA is clarifying the affected source status of ACIs by revising the regulations to make clear that “air curtain incinerators” do not need to meet the definition of a “CISWI unit” to be subject to the CISWI rule (40 CFR 60.2010 of the NSPS and 40 CFR 60.2500 and 60.2550 of the EG).

A Tony Pendola NC Small Business Environmental Assistance Program 3/26/2021

I’m not sure this helps, but this is what Rhonda sent us in August:

Yesterday, the Administrator signed amendments to the New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Other Solid Waste Incineration (OSWI) Units. The OSWI NSPS and EG was promulgated pursuant to section 129 of the Clean Air Act (CAA) in 2005. This action addresses EPA’s obligation under the CAA to conduct a review for the OSWI source category. The review requires EPA to review and revise the maximum achievable control technology standards as necessary, considering developments in practices, processes and control technologies, no less often than every 5 years. This proposed review is subject to a court-ordered publication deadline of August 31, 2020, and the final rule is subject to a court-ordered promulgation date of May 31, 2021.

Following a recurring statutory review conducted under Clean Air Act (CAA) section 129, EPA determined that no new cost-effective controls are available. The agency is not making any changes to the standards based on the results of the CAA 129 review. However, based on additional information the agency has obtained since the 2005 final rule, EPA is proposing to amend the standards for small OSWI units by:

- Amending rule applicability provisions to recognize, based on (1) the type of waste being combusted and (2) daily combustion capacity, that some units previously subject to the Commercial and Industrial Solid Waste Incineration (CISWI) rule are OSWI units.
- Increasing testing and monitoring flexibilities so small units with rudimentary designs can demonstrate compliance with the OSWI rule.

To address some issues that resulted in a voluntary remand of the 2005 OSWI rule, the agency is proposing to revise standards for small OSWI units based on data from representative units.

EPA is proposing other minor amendments to the rule, including:

- revised regulatory provisions related to emissions during periods of startup, shutdown and malfunction; and
- provisions for electronic reporting of certain notifications and reports.

If finalized as proposed, EPA estimates the amendments would reduce air pollutant emissions from the OSWI source category by about 31 tons per year. A fact sheet and pre-publication version of the final rule may be accessed [here](#).

Q Donovan Grimwood TN Small Business Environmental Assistance Program 3/19/2021

Had a question come from a resident yesterday asking about how to check on the credentials for someone claiming to be a registered industrial hygienist or someone claiming to be certified to clean mold or do any other environmental activities on a residence. I haven't been able to find it at a state level so are there national registry lists or associations that I might be able to try looking into? Anyone else have ideas on how to double check on certifications or registrations for industrial hygienists?

A Tony Pendola NC Small Business Environmental Assistance Program 3/19/2021

AIHA [link](#) at the bottom of our website

A Lynelle Ladd KS Small Business Environmental Assistance Program 3/22/2021

To obtain the certification for industrial hygienist (CIH) a person has to meet minimum education and years of on-the-job IH experience requirements before a person can sit for examination to obtain CIH credentials ([requirements](#)). CIH credentials are obtained in a similar fashion as persons who seek to obtain their Professional Engineering license.

A person calling themselves a CIH without the credentials is as fraudulent as an engineer claiming PE status without taking the exam.

Q Nancy Larson KS Small Business Environmental Assistance Program 3/8/2021

Have any states created or know of existing short videos that help small businesses identify which engine regulation applies?

Q Nancy Larson KS Small Business Environmental Assistance Program 2/25/2021

Has your state ever done a survey of all small businesses, asking them if they have or need environment permits and need or have used SBEAPS? I know most of us just survey our own clients, but what about statewide questionnaires of small business?

A Phyllis Copeland SC Department of Health & Environmental Control 2/25/2021

SC has not.

A Belinda Fowler NE Department of Environmental Quality 2/25/2021

We did a general public survey regarding outreach and assistance in 2018. I don't think we asked those questions specifically but did ask if they needed help or support. I can send on if interested the beginning part of next week.

A John Podolinsky MT Small Business Environmental Assistance Program 2/25/2021

Montana has not that I'm aware of.

Q Belinda Breidenbach ID Small Business Development Center 2/11/2021

I'm putting together a permit and realized my auto coating spreadsheets aren't handling bed liners correctly. I noticed the issues when I was trying to determine how many gallons of bed liner my client spray to remain under the EPA HAP limit. Bed liners are tricky since there is a part A combined with part B. How much isocyanate MDI is bound in the bed liner and what percent is actually emitted? I can't find an emission factor. I have a client that is using a new bedliner that has zero VOCs. Part A is 100% solids with 57% MDI isocyanate. This product is now widely used in the industry so I'm hoping someone has done calculations.

A Mark Stoddard IN Compliance & Technical Assistance Program 2/11/2021

You may find the [Title V permit](#) issued to R3 Composites Corp. issued December 29, 2015, of benefit. I am able to search using Google and the search parameter "site: permits.air.idem.in.gov isocyanate." However, results seem to be displayed in a random order. More recently issued permits will have a larger permit number, e.g., 2015 – 36349. Page 94 of 100 (page 12 of 15 of Appendix A) – door line – MDI Emissions MDI emissions calculated pursuant to "**MDI Emissions Reporting Guidelines for the Polyurethane Industry**".

American Chemistry Council - Center for the Polyurethane Industry. May 2012. Pgs. 5-1 & 5-2. MDI = methylene diphenyl diisocyanate (a HAP and VOC). According the MSDSs provided by the source, laminating glue is 100% solids, with MDI as only VOC/HAP emitted.

$W = 25.4 * V_{Pair} * (MW/T_{proc}) * u_{0.78} * SA * t_{TF}$

W = the evaporation losses from the open process (g/day)

25.4 = mmHg in 1 inch Hg

V_{Pair} = the vapor pressure of MDI (atm @ process temperature)

MW = molecular weight of MDI (g/mole)

T_{proc} = the process temperature (K)

u = the airflow speed (m/sec) = ventilation rate

Flow rate(acfm) * 1 min/60 sec / roller surface area (ft²) * 0.3048 m/ft

S_a = the exposed surface area (m²)

t_{TF} = the tack-free time (sec)

Q Donovan Grimwood TN Small Business Environmental Assistance Program 2/4/2021

Had a question about emission factors for injection molding of plastic parts. I have a facility that does polypropylene, polyethylene, polycarbonate, and ABS (acrylonitrile butadiene styrene). The closest I have found so far is a permit in Indiana (Berry Plastics) that has some factors for polypropylene. Our state rules do note that injection molding that can be shown to be insignificant or not emit HAPs can be left off a major source permit, but that isn't exactly an exemption or determination of insignificance. I also couldn't find factors in WebFIRE. If you know of a source that your state has permitted and developed emission factors for, I would be happy for the information.

A Mark Stoddard IN Compliance & Technical Assistance Program 2/5/2021

I find that searching Google for Indiana/IDEM air permits can be helpful, e.g., "site: permits.air.idem.in.gov Acrylonitrile Butadiene" or "site: permits.air.idem.in.gov injection molding" though the results seem to be displayed in a random non-chronological order. If you can identify a company name, you can search [this database](#) for air permits under that name. First time and renewal permits as well as significant revisions will generally include emission calculations in the appendices. You may want to view the permits issued to American Plastic Molding located in Scottsburg, IN and D & W Fine Pack located in Fort Wayne, IN.

I also collect information that I deem may be valuable to me in the future which includes the attached documents. AWMA has been referenced in some of the permits issued. If you find a company name and can provide me with a permit number, I can review a permits folder which

generally includes the excel spreadsheet for emission calculations assuming that I still have permission to do so. Permit writers have had a tendency in the past to oversimplify a typically complicated process given the myriad number of organic chemicals, aka polymers, which can be processed in a vast number of ways not including other ingredients to the process or the potential for malfunctions, e.g., overheating.

R Donovan Grimwood TN Small Business Environmental Assistance Program 2/5/2021

Renee also sent me the spreadsheet from AWMA, and I used those emission factors. They were exactly what was needed and covered all areas necessary. Luckily, even using the highest factors, I was able to show the source PTE was under the TN insignificant source threshold. My only concern about them needing a permit would be in relation to an aluminum and steel brushing/buffing operation that may fall subject to 6X.

A Jenifer Dixon MI Small Business Environmental Assistance Program 2/8/2021

I get asked for these about once a week from folks across the nation. I was not around for the development of these, but apparently, they are very helpful. The “DEQ” branded document is currently archived for us, meaning it is no longer available on the web as it has not been updated. That does not mean the information is wrong or bad, just that it has not been looked at in a while.

Q Christine Hoefler CO Small Business Assistance Program 1/27/2021

I am working with Police Departments here in Colorado to help them obtain permits for their small incineration units. Colorado requires that all incinerators, no matter what size, obtain a permit. The incinerators the police are using are generally burn barrels such as the product seen [here](#). This company specifically claims that this incinerator can be used for prescription drug take back events. It was my understanding that the EPA has specifically stated these types of units are not to be used for drug take back event based upon the fact that these units do not provide enough emissions controls when burning pharmaceuticals. My question to the group is if anyone has seen the approval for the use of these types of units for drug take back events in your state? I have also attached a memo from the EPA on this topic.

A Phyllis Copeland SC Department of Health & Environmental Control 1/27/2021

SC will only allow use of these types of units by law enforcement for confiscated/contraband drug disposal. We require the individual agencies to submit a request with documentation on the unit to our office and we review on a case-by-case basis. Attached is a copy of our approval letter. To muddy the waters, we will also allow government-owned animal crematories to burn the confiscated/contraband drugs, if requested.

A Jim Plosay AK Manager of Air Permits Program 1/27/2021

That Elastec unit is a cyclonic burn barrel that Alaska is fighting with EPA to get exempted from the recent proposed OSWI rulemaking that would require a TV permit for a “burn barrel” that Alaska finds simply ludicrous. No other State supported Alaska in our comments to EPA on the proposed rulemaking including NACAA. Alaska does not require a permit for these units because we have thousands of them in remote areas of the state, not just for drug/evidence destruction but as remote camp incinerators, oil spill cleanup temporary incinerators, and individual residential or small business incinerators.

A Christine Grossman MI Department of Environment, Great Lakes, and Energy 1/27/2021

It has been my understanding that [RCRA Subpart P](#) limits (or will limit upon adoption in the various states) the CAA permitted units that can be used to incinerate household pharmaceuticals collected via a takeback program to the following units under 40 CFR § 266.506 (see page 5945 of the FR notice):

- A permitted large municipal waste combustor, subject to 40 CFR part 62 subpart FFF or applicable state plan for existing large municipal waste combustors, or 40 CFR part 60 subparts Eb for new large municipal waste combustors.
- A permitted small municipal waste combustor, subject to 40 CFR part 62 subpart JJJ or applicable state plan for existing small municipal waste combustors, or 40 CFR part 60 subparts AAAA for new small municipal waste combustors.
- A permitted hospital, medical and infectious waste incinerator, subject to 40 CFR part 62 subpart HHH or applicable state plan for existing hospital, medical and infectious waste incinerators, or 40 CFR part 60 subpart Ec for new hospital, medical and infectious waste incinerators.
- A permitted commercial and industrial solid waste incinerator, subject to 40 CFR part 62 subpart III or applicable state plan for existing commercial and industrial solid waste incinerators, or 40 CFR part 60 subpart CCCC for new commercial and industrial solid waste incinerators.
- A permitted hazardous waste combustor subject to 40 CFR part 63 subpart EEE.

Subpart P became effective on 8/21/19 nationally for its sewer ban provisions and has been adopted by some states, but not in Michigan yet. Also, EPA has some [FAQs specific to Subpart P and pharmaceutical take-backs](#) that would be good to review/consider when working with drug takeback programs. They also publish this [map](#) as to where Subpart P is in effect. I'd recommend reaching out to Kristin Fitzgerald or Brian Knieser, the EPA contacts on the rulemaking, if you have questions on these provisions. Kristin can be reached at Fitzgerald.Kristin@epa.gov or 703-308-8286 and Brian can be reached at knieser.brian@epa.gov or 703-347-8769. I'd be interested in hearing an update if you learn more on when 40 § 266.506 is expected to take effect in the states.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/27/2021

I believe the following memorandums issued by EPA more or less go along with what Christine stated in her earlier message: [Recommendation on the Disposal of Household Pharmaceutical Collected by Take-Back Events](#) . . . , September 26, 2012 and more recently, [Management of Household Pharmaceuticals Collected by Law Enforcement During Take-Back Events](#) . . . , September 11, 2018

A Lynelle Ladd KS Small Business Environmental Assistance Program 1/27/2021

Around 2008 or 2009, R7 EPA office required Kansas to permit air curtain incinerators under Title V due to CISWI. KDHE attempted to obtain exemption for those units, but that effort failed.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/27/2021

A colleague of mine responded. Her response included an e-mail (March 10, 2017) from a Mr. Perry who oversees air inspections in Indiana. An excerpt of his:

We are aware that few local law enforcement agencies have purchased [The ELASTEC Drug Terminator](#), but those units do not meet the incineration requirements in 326 IAC 4-2 & 9-1-2, possibly the permit requirements in 326 IAC 2, and the federal Other Solid Waste Incinerators (OSWI): 40 CFR part 60 Subpart EEEE for new OSWIs or 40 CFR part 60 Subpart FFFF for existing OSWIs. The ELASTEC Drug Terminator units are acceptable for burning marijuana under the open burning rule 326 IAC 4, but not other drugs or medications. Federal, state, and local law enforcement offices do not require approval to burn marijuana pursuant to 326 IAC 4-1, but must follow the open burning requirements in the rule. The rule citations 326 IAC 4-1-3(b) and 326 IAC 4-1-3(C)(5) can be found [here](#). Only marijuana is allowed to be open burned. Otherwise, nothing new going on in the State of Indiana.

A John Podolinsky MT Small Business Environmental Assistance Program 1/27/2021

Just forwarding info on incinerating drugs in Montana from Ed Warner, one of our permit writers. MCA stands for Montana Code Annotated, Montana law.

“We do regulate incinerating drugs in the same manner as all incinerators; MCA requires that any incinerator obtain an MAQP and it sounds like CAPCD has a similar law. Montana Highway Patrol permitted some portable incineration units several years ago dedicated to this purpose; however, I believe they have discontinued using them due to operational issues. I can look to see if their permits are still active if you would like? I looked at the items linked by CAPCD email and I don't think these are similar to the MHP permitted units. The MHP units were multichamber style units like the crematoriums and offal incinerators we have discussed, but on a smaller scale. The units linked to by CAPCD appear more similar to air curtain incinerators used in forestry applications to burn slash. These don't use the secondary chamber with afterburner, but rather a "curtain" of air which circulates the flue gases back into the main combustion zone to burn off the PM entrained in the exhaust. I'm honestly not certain if we would approve an application for this kind of unit in Montana, we have always required multi-chamber incinerators.

Interestingly, while permitting these portable units, we also inquired about the "Contraband Exclusion" from MACT regulations as described in the EPA memo you attached. MHP provided a Cascade County judge's opinion that the collected pharmaceuticals *are* contraband/prohibited goods because they are no longer in the possession of the person to whom they were prescribed and therefore illegal for anyone else to possess. In addition, these incineration units are owned by a government agency which is another element of that exclusion if memory serves.

And regarding the EPA memo's comments on crematoria, these units *are* regulated in Montana based on the MCA incinerator requirements as I've noted. Law enforcement agencies have been utilizing state crematoriums for years to carry out similar practices to destroy contraband and even out-of-circulation dollars. We try to structure our MAQP for crematoriums to allow the source to incinerate items other than bodies on a case-by-case basis with Department approval. This is usually an exchange of correspondence for each requested burn. This seems like it happens several times a year throughout the state.”

A Nancy Larson KS Small Business Environmental Assistance Program 1/27/2021

Interesting discussion. Several years ago, KS communities wanted to use these as part of local, not current DEA, drug take-back days, but DEA and our regulators did not allow the incineration to move forward because of requirements to handle some of these legal and illicit drugs as controlled-substances and in a few cases hazardous waste. When [DEA hosts their drug take-back days](#), they have limited incinerators that can accept the collected pharms for this very reason.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 1/27/2021

One of our projects is to update some existing presentations we have on “AQ 101”. Has your SBEAP or Agency recorded any training recently on AQ to better educate industry or the public? If yes, can you share the link to those with me? I’d like to view how others are presenting basic AQ information.

A John Podolinsky MT Small Business Environmental Assistance Program 1/27/2021

[Environmental Education for Regulated Entities](#)- You will need to scroll down to Available E101 Module Materials which includes E101 – Air Modules (pre-2019/2020 updates). As the manual is 82 pages and the presentation 207 pages/slides, you might construe this to be an E101+ module.

Q John Podolinsky MT Small Business Environmental Assistance Program 1/26/2021

I'm assisting a business which plans on opening a facility to recycle used motor oil. The recycling system the company proposes is a "closed" system and purports its only wastes will be water and calcium sulfate. MT DEQ regulates used oil under its Haz waste rules and I would imagine the county health department has applicability as well; I've shared those contacts with the business. I'm curious if any of you have worked with such facilities, whether other regs apply, and looking for applicable resources.

A Christine Hoefler CO Small Business Assistance Program 1/26/2021

I haven't worked with a used oil recycling facility, only companies that recycle it themselves. Other than air and hazardous waste I would think they could have stormwater issues if they have any of their process outside, or if they store anything outside?

A Jenifer Dixon MI Small Business Environmental Assistance Program 1/27/2021

We just issued the following. Although not all of it will likely apply to your facilities in MT, it may be a good resource. I have copied my waste counterpart on this to see if she has any other thoughts or information on your specific situation.

New used oil checklist available for performing self-audits

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) is committed to providing businesses with tools that help ensure compliance and keep people and our environment safe. Recently, EGLE's Materials Management Division partnered with the Water Resources Division, Air Quality Division, and Environmental Support Division to produce a self-audit checklist that allows used oil generators to quickly evaluate if they are properly managing their used oil to meet the waste, air, water, and emergency response regulations.

The new checklist is ideal for auto repair shops, quick oil change shops, fleet maintenance garages, automotive retailer stores, and primary metal manufacturers.

In addition to the checklist, the new tool provides:

- An editable emergency response poster that can be customized to help employees and emergency response staff react to a spill
- Labels that can be used for containers or tanks of used oil and used oil filters.

Check out the [Used Oil Common Violations Checklist](#) and take advantage of these new resources. For questions related to the new tool, contact your [local district office](#) or Ms. Christine Grossman at grossmanc@michigan.gov or 517-285-5637.

R Christine Grossman MI Department of Environment, Great Lakes, and Energy

The new used oil checklist is targeted for used oil generators. Used oil processors are more akin to a hazardous waste treatment and storage facilities, but they don't require a hazardous waste permit or license. They definitely need to have a robust [waste analysis plan](#) to ensure they're not accepting used oil that is a presumed hazardous waste (discussed in detail in the last resource highlighted below). I'd recommend seeing if any of the following resources are helpful, some of which are in the process of being updated:

- [Use Oil Processors and Re-refiners Inspection Checklist](#) for our hazardous waste inspectors to use when evaluating compliance at these facilities.
- [Used Oil Overview](#) for gaining a general understanding of Michigan's used oil regulations.
- [Used Oil Biennial Reporting Guide](#)
- [Waste Characterization Reference Book, Chapter 9](#) for understanding when used oil is presumed to be a hazardous waste and should not be accepted by a used oil processor.

Michigan's hazardous waste program is a bit unique in that we don't adopt the federal regulations verbatim, and instead implement our own rules which are mostly consistent with RCRA. As you'll see from the overview guidance, we have additional state specific regulations that apply to these facilities too.

[Sue Brauer](#) is the best contact from EPA on the used oil regulations. She can be reached at 312-353-6134 or brauer.sue@epa.gov. I believe she's been working with the used oil regulations for over 25 years and may have helped script the federal rules. This [contact list for SPCC](#) and this page for [Centralized Waste Treatment Effluent Guidelines](#) may be helpful too for understanding the federal CWA regulations a used oil processor would need to meet. In Michigan we have additional water regulations than SPCC that they'd need to meet too.

I'd be glad to discuss more if you'd like to chat. Just let me know when works best and I'll set up a teams call for discussion.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/27/2021

This entity may need to consider SPCC (Spill Prevention Control & Countermeasure) applicability if storing oil (fuel, oil refuse, oil mixed with waste or water, fats, greases, vegetable oils, synthetic oils, mineral oils, etc.) greater than 1,320 gallons counting tanks and equipment, each with a capacity of 55 gallons or greater and if there is reasonable potential that a spill/release could negatively impact waters of the US. Additionally, your state might have more stringent requirements, but might be more generic, e.g., secondary containment requirements for the storage of hazardous materials above a certain threshold. If this entity is subject to SPCC and above ground storage is less than 5,000 gallons for any tank, total capacity less than 10,000 gallons and no single oil discharge greater than 1,000 gallons or two discharges of 42 gallons within any 12-month period, the entity could qualify as a Tier I/II qualified facility and self-certify (not required to use a professional engineer). EPA provides a couple of template examples on their [web page](#), one of which includes an automotive service garage.

R John Podolinsky MT Small Business Environmental Assistance Program 1/27/2021

Along with my litany of potentially applicable requirements and regulations, I did mention SPCC and fire code requirements and that's when I sensed the info bucket was overflowing!

A Renee Bashel WI Small Business Environmental Coordinator 2/1/2021

I asked our used oil expert to see what she has run into along these lines. One question/concern she would have is that their waste is probably not just water and calcium sulfate. From her experience they are precipitating out the contaminants in the oil with the calcium sulfate, so there is likely a sludge that needs to be managed and a waste determination made. That waste stream is probably variable too, if their source for the used oil is not consistent. In Wisconsin, there are different rules depending on whether they are a used oil transfer facility vs a used oil processor. The processor stores the oil on site longer than the transfer facility. Here are our fact sheets on used oil:

[Used Oil Management](#)

[Used Oil Management Addendum](#) – Satisfying the Rebuttal Presumption

If it is an oily wastewater, hence the water coming out as waste, they might be considered a wastewater treatment facility. Just a thought as that will trigger a host of other rules/permits.

Q Phyllis Copeland SC Department of Health & Environmental Control 1/21/2021

How does your state handle portable and temporary crushers/screeners/conveyors, in particular the unit pictured above, from an air permitting perspective? For example, Company A is a equipment rental company that owns crushers, screeners, and conveyors and rents them out to Company B to operate for a very short duration (a few weeks) to crush up some old concrete from a construction site. Company A does not operate the temporary/portable equipment and only rents it out. We currently permit the owner of the equipment but are running into issues from the owners that rent equipment out and do not operate the equipment.

- How do you all handle rental companies that only rent the crushing/screening/conveying equipment out and do not operate it (i.e., who gets the permit - the facility or operator? exempted?)
- Who is responsible for the requirements from the NSPS source test (Subpart OOO)?
- Who is responsible for compliance issues and any record keeping conditions in their permits? How would you all take action?
- Also, if you have emission factors that would be helpful.

A Christine Hoefler CO Small Business Assistance Program 1/21/2021

Colorado has had issues with this in the past and especially with engines. We permit these units as portable and if a construction company chooses to obtain the permit instead of the rental company, then the permit is in the construction company's name. One thing I always tell them though is that both parties can be responsible for compliance issues, if there are enforcement issues we can go after the "owner and or operator". We generally would go after the company though for operator issues (opacity, record keeping). Usually, we find that the rental companies do not get the permits. We also only will permit these if they determine their emissions at our permitting thresholds. If we have a larger source that is considered a Synthetic Minor, they would need to estimate the emissions from the portable unit with the facility wide emissions to make sure the temporary unit doesn't push the facility into a Major Source designation. If this was the case, then yes, we would make them get a permit. We also have an emissions calculator for companies to estimate their emissions at this [link](#).

R Phyllis Copeland SC Department of Health & Environmental Control 1/21/2021

We were not aware of the rental scenario until contacted by the company that rented the unit. Any technical information would be appreciated.

R Christine Hoefler CO Small Business Assistance Program 1/21/2021

We haven't had this issue come up before Iowa. We will write air permits to **either** the owner or operator of the equipment.

A Lynelle Ladd KS Small Business Environmental Assistance Program 1/21/2021

In Kansas, the intended use of the equipment would first be assessed. Is the temporary equipment being installed to temporarily replace a unit that is being repaired or needs replaced with a permanent unit? We would first assess if the temporary equipment would fall under the "Routine Maintenance, Repair and Replacement policy, see these KDHE forms [BAR 2004-06 RMRR](#) and [Detroit](#). Any temporary equipment that would meet RMRR policy would not need New Source Review, before installation or use. BUT it is case-by-case and does not excuse a source from making an incorrect determination on their own and not obtaining the appropriate permits, if it is determined the unit would not have qualified for RMRR. When specifically speaking of portable rock crushing equipment, as seen above, Kansas permits portable rock crushing equipment just the same as we would a stationary rock crushing source (one that never leaves the quarry it is located in), in addition any equipment that would fall under NSPS requirements for asphalt plant operations that can be moved around a site or between sites (e.g., quarries, locations along highway jobs).

In Kansas, if a company needs to rent a piece of equipment for temporary use, and if the unit does not qualify for RMRR, the company that will be renting and using the equipment is required to evaluate PTE as well as any NSPS/MACT applicability, and obtain a pre-operation construction (i.e., emission unit installation and use) approval or permit when the Kansas regulations would require it. PTE is never calculated on how long the company think they will have it on-site but always on 8,760, regardless of temporary use and any limitations on total hours of operation or throughput, etc. may be included in the permit or approval to ensure the equipment does not become a permanent fixture of operations without appropriate permitting applied first. Because it is temporary use, it will not end up added to the facility operating permit (if they have one) but it would be subject to annual emission reporting and/or fees (if the facility is required to report annual emissions, per an operating permit.) They would operate the unit per the requirements in the construction permit or approval.

In Kansas, there is no regulatory means to permit a rental company, since they are not operating the emission unit, and therefore are not a source of air pollution.

In Kansas, the renter would be responsible for all compliance requirements, not only including NSPS/MACT but also any current limitations on throughput (e.g., tons per year of rock crushed or asphalt processed) that an additional temporary crusher could technically increase their capacity. The renter is responsible for compliance issues and any record keeping conditions in their permits. In Kansas, standard AP-42 emission factors for rock crushing, conveyance, etc. would be applied to the portable rental unit, because it performs the same function as a stationary unit would.

A Renee Bashel WI Small Business Environmental Coordinator 1/22/2021

Wisconsin has general permits for crushing operations. Our air program has a single person assigned to permits and compliance for crushers and asphalt plants here. I asked her to respond to your questions. Answers are below. In addition, she has been working on revising the permits to address some of these concerns. Instead of having the permit tied to a primary crusher it would just be issued to a company to operate a spread. Therefore, the operator would always hold the permit. The owner of the equipment is the permit holder (Company A). I try to stress to these companies that they are responsible for reporting emissions and need to keep track of tonnage through the machine. They should also provide copies of permits to the renters and make them aware of the terms.

Company A, as the permit holder, is responsible for getting a test scheduled and performed.

Since these are portable crushers this is a difficult question. Likely, if a complaint is received, Company B would be the first contact. After a conversation, Company A would be brought in because they are ultimately liable as the permit holder. Fortunately this scenario does not happen often. Company A is responsible for all emissions reporting and records maintenance.

WI worked with the industry ages ago to establish an agreement on calculating emissions: <https://dnr.wi.gov/files/PDF/pubs/am/AM498.pdf>

A Trayce Moore MS Small Business Environmental Assistance Program Technical Assistance Coordinator 1/22/2021

I contacted one of our permit division managers to get info on how they are handled in MS. Please see his response below:

In short, a commercial owner of any equipment with notable air emissions (engines, boilers, rock crushers, etc.) that are rented / leased to secondary entities is exempt from our state air regulations (especially the need for an air permit if the renter / leaser doesn't actually operate the equipment). Monitoring the operation of the equipment (and the corresponding air emissions) falls strictly on the operator. However, in regard to her example, we don't actually regulate emissions generated from general construction activities either (e.g. demolition activities) because we view those types of activity as temporary (and thereby emissions – on a tons per year basis – won't exceed the applicable Title V / PSD thresholds).

However, for ready-mix concrete facilities and hot-mix asphalt facilities, emissions generated from a rock crusher (even if it's portable and temporary) are regulated through the respective General Permits that have been established for each facility type. The facility, not the owner of the rock crusher (if not owned by the facility), has the burden of monitoring the operation of the crusher (for the purpose of tracking PM and PM₁₀ emissions), complying with Subpart OOO, and submitting any necessary notifications / reports.

We recently published the updated Read-Mix Concrete GP (which you find [HERE](#) under "Ready-Mix Concrete General Permit documents"), so Ms. Phyllis may be able to find information (as far as the air media). We're currently in the process of updating the Hot-Mix Asphalt GP, but we don't have the full scope of documents (like you see for the Ready-Mix Concrete GP) ready at this point.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/22/2021

I solicited input from two of my colleagues who provided the following information and would follow-up later with a more detailed response.

Crushing operations

Beemsterber Slag Corp – contractor of Arcelor Mittal Burns Harbor – Title V attached (124 pages)

Beemsterber PTE spreadsheet

Making an air permitting source determination where the use of an outside contractor to arrive on site with equipment, operated a batch crushing operation then depart.

Rieth-Riley Construction, Inc. FESOP renewal attached – (231 pages)

Ozinga Ready Mix Concrete Inc. – SSOA attached (23 pages)

Q Donovan Grimwood TN Small Business Environmental Assistance Program 1/20/2021

Does anyone have experience with sanding dust? I'm assisting a facility that does hand and pneumatic sanding of metal parts and an air inspector is asking for an evaluation of emissions. They have found out based on mass balance how much is removed from each part and also know how much dust is collected. The issue is how much dust isn't. One factor I considered using was that 70% of the dust created is an emission based on fine sanding found in woodwaste calculators. Which means that only 30% was collected. But that is seeming too high for a process that is mostly about surface preparation and removal of old paint in order to repaint.

A Lynelle Ladd KS Small Business Environmental Assistance Program 1/21/2021

I have more questions than answers, Donovan. I apologize if these have already been discussed with the air inspector and/or company and do not help you.

1. If it has been calculated how much is removed from parts and how much dust is collected in a control device, is the "only 30% was collected" the result of them investigating how much dust is collected? Was that measured and the result is 30%?
1. 2. Also, did the amount of "dust collected" also include any dust residual that remains on the filter of the control device (e.g., PM10/PM2.5 particles could remain on the cartridge or fab filter and not be in the dust disposal bin (where dust is deposited after the baghouse "raps" or "blows").
2. Is there a Mfg's capture and control efficiency rating for the control device on the pneumatic sanding process?
3. Is there visible evidence that during the sanding that not all dust is being captured (dust on surfaces outside the process or Method 22 visual assessment)?

Q Nancy Larson KS Small Business Environmental Assistance Program 1/13/2021

Our water bureau (regulator) is asking SBEAP to assist with a pre-assessment for an industry sector. They have asked us to use their inspection check list to go out and assist the sector with identifying and addressing compliance gaps. We would then turn our inspection checklist back to the area inspection program that may do follow-up or write a letter of warning. We do have expertise with the sector and the regulator would provide us with additional training. Has your program done a similar project where you "act as an inspector/advisor" to the industry and release the results to the regulator? As a non-regulatory agent did industry challenge your access to the facility? How did you deal with it?

A Jenifer Dixon MI Small Business Environmental Assistance Program 1/13/2021

This seems a little touchy. I know a lot of states have confidentiality written in their rules, but in MI it is more of a handshake deal. I always ask permission of a facility before I speak with their inspector, permit engineer or enforcement staff. I think if you did this, it would have to be completely transparent about that aspect (especially if it could lead to a warning letter or violation notice). Although it may build your relationship with your regulatory agency, it could decrease the trust your other industry stakeholders have with you. I think the only way I would do it, is if it was an advertised initiative within a specific sector. The sharing detail would have to be very upfront.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/13/2021

It would greatly help the process if the regulator could develop the checklist (not unlike an environmental results program) and even highlight significant areas or recurring compliance issues. The checklist could be e-mailed and/or mailed to the affected audience. The SBEAP could use the checklist when working with an affected entity. Any results collected could exclude the identity of the entity and shared with the regulator. It would be up to the regulator to use the information in future preparations for conducting compliance site visits. It greatly helps the SBEAP if the regulator shares common/frequent compliance issues to better help the SBEAP prioritize its activities.

A Tony Pendola NC Small Business Environmental Assistance Program 1/13/2021

Something like Mark recommends might work. Above all, don't sacrifice confidentiality. It is a cornerstone of our program and breaching it obliterates trust. It is mentioned in Section 3.1 of the Guidelines Document. I have attached some thoughts from Edythe from when OECA came out with their SB confidentiality policy around '94. NC has never been without a confidentiality policy.

A Lisa Ashenbrenner Hunt WI Small Business Environmental Assistance Program 1/13/2021

For Region 5's autobody Environmental Results Program, EPA was the one who went out and did the actual site visits to gather before and after data to see how the sector improved compliance after the SBEAPs provided outreach materials. That way EPA could follow up on any noncompliance without violating SBEAP confidentiality. The outreach checklist sent by the SBEAPs was not mandatory and individual responses were not shared with EPA, just aggregate data. What if the regulator agreed to reduce fines for violations if the facility voluntarily lets the SBEAP do the inspection and corrects any violations? That would be similar to EPA or state audit policies where liability is reduced for self-reporting if the violations are corrected.

A Julie Churchill ME Small Business Ombudsman 1/13/2021

Agree Tony, Maine has and always will use the Small Business Compliance Incentive Policy; it's a blurry enough line when the SBO/SBAP is housed in the regulatory agency. Want our sectors to know they can call and ask for technical assistance without worry of punitive consequences...

A Mark Stoddard IN Compliance & Technical Assistance Program 1/13/2021

I should have mentioned that the Indiana SBEAP (CTAP) is subject to confidentiality regulation found in the [Indiana Code \(IC-28-3-4\)](#). "Inquiries made to the program "

A Mark Stoddard IN Compliance & Technical Assistance Program 1/13/2021

Autobody ERP- Assuming that I have the correct version, we left behind an exit checklist based on one of our visits. I believe EPA followed up with visits perhaps two months after our visits. When EPA conducted their visits, they may have used something like the attached checklist. There were baseline visits that were also conducted.

R Arthur Fink KS Small Business Environmental Assistance Program 2/5/2021

I want to thank everyone that responded to Nancy's original request (included below). I've compiled everyone's responses into a searchable PDF and included it as an attachment to this email. I appreciated everyone's thoughtfulness and concerns in regard to having our SBEAP perform the type of function as described by Nancy. Using the SBEAP listserv responses, Nancy and I were able to come up with an agreement that will allow the Kansas SBEAP to assist our state environmental agency in a way that will not jeopardize SBEAP's position as a compliance assistance resource for small businesses.

Q Nancy Larson KS Small Business Environmental Assistance Program 1/12/2021

I just spoke with one of our KS dry cleaners that switched to [SENSENE](#), a modified alcohol. In Kansas, we have several dry cleaners using Green Earth and DF-2000, but to my knowledge this is the first one to use SENSENE. It was not a drop-in perc substitute as the client retired had a perc unit and purchased a new machine for use with this product. If you have dry cleaners using SENSENE in your state, are you seeing any problems with it? FYI – [flash point is 149°F](#)

A Mark Stoddard IN Compliance & Technical Assistance Program 1/12/2021

Currently, a colleague and I are conducting a phone survey of entities who are believed engaged in dry-cleaning. These entities have changed locations, ownership as well as the nature of how they do business very rapidly making any list almost obsolete after the first year. So far, I have encountered one drycleaner that has added a machine capable of using Sensene. Additionally, King County, WA has an interesting [document](#) on the evaluation of new high flashpoint hydrocarbon dry-cleaning solvents from an environmental perspective.

A Donovan Grimwood TN Small Business Environmental Assistance Program 1/12/2021


It doesn't seem to be something in use in TN. I asked our DCERP about it and this is the overall answer provided: The product flashpoint is a little higher than eco solve, a petroleum solvent that is commonly used in Tennessee. The Fire Marshal is usually very interested in that property, just a thought but maybe the Fire Marshal on a national level have some information on this product. I just believe nobody here is selling this product because it is not yet in common use.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 12/21/2020

Since EPA no longer updates nor has corrected errors in TANKS 4.09d, what tools are you currently using? AP-42 Chapter 7 has been updated with Tank emission factors however you will note that various calculations need used (which Tank 4.09d used to do for you. Have other states purchased calculator tools or developed one of its own to replace Tanks 4.09d?

A Troy Johnson MN Small Business Environmental Assistance Program 12/22/2020

MPCA uses 3 tank air emission calculators:

 [Fixed roof, horizontal, above and underground \(p-sbap5-42h\)](#)

Tool for estimating VOC emissions from fixed roof, horizontal tanks.

 [Fixed roof, vertical, cone and dome \(p-sbap5-42v\)](#)

Tool for estimating VOC emissions from fixed roof, vertical tanks.

[Estimating air emissions from external floating roof storage tanks \(aq6-13\)](#)

Tool for estimating VOC and HAP emissions from external floating roof tanks.

Q Jennifer Collins IN Department of Environmental Management 12/15/2020

For many years now, local governmental entities and others seeking participation in Community Development Block Grant state funding programs (and other state and federally funded programs) to defray costs of implementing public works, infrastructure, or community development projects have submitted project descriptions to the Indiana Department of Environmental Management (IDEM) for review. IDEM responded to each such request with a standardized letter listing all the environmental issues applicants should consider or comply with to ensure the environmental impacts of their projects would be minimized. Applicants then included IDEM's response letter as part of the grant application package. A while ago, the person managing this automated this process by creating an [online form](#) that the entities fill out and receive an automated letter. We are currently working to update this letter and process and we are wondering what other state agencies are doing to provide this environmental review letter for grantees to the CDBG in each of your states.

A Michelle Gillham AR Department of Energy and Environment 12/15/2020

Until this January those letters came to various staffers in our media offices. Each one responded with language specific to their offices. Now, all such letters come into my group. We review, craft a response addressing what we believe are the relative issues, and then forward to technical staff in our offices of Air Quality, Energy, Land Resources, and Water Quality as necessary. They review and offer any additional language before we officially respond. I am developing an SOP with the most frequently used boilerplates. There will always be one-off projects, but the SOP will help capture the most frequently encountered.

Q Eric Florio NV Small Business Assistance Program 11/17/2020

Without going into too much detail, I have been having trouble finding an appropriate way to calculate PM emissions for a small business that is using a “chopper gun” to spray fiberglass paint onto an object. The problem is with one type of material. The MSDS for this material does not have any HAP or VOC content. In addition, the equipment does not have a transfer efficiency rating and the company is unable to provide one. This is a new type of process for me as well as for the state agency, we have both been having trouble finding an appropriate calculation.

A Donovan Grimwood TN Small Business Environmental Assistance Program 11/18/2020

I’m sort of in the same position. There were three methods used for a facility I am working on. The first method, which I would suggest only if the regulatory division accepts the use of filters as inherent to the process and can write it into the permit for regular maintenance and changing of filters, is to use a 0.02 grains/dscf allowable based on CFM airflow. There are 7000 grains to the lb. I’m running into the issue that even after an agreement letter from the facility, there appears to still be some pushback on accepting the filters as reducing the emissions to an acceptable level due to the high air flow (multiple fans creating 36,000 CFM airflow). At 0.02 grains/dscf, this would mean uncontrolled particulates of 27.03 tons/year, significantly higher than their styrene and VOC emissions which would be the main emissions of the facility. With a 95% efficient filter, the emissions drop to 1.35 tpy, an acceptable level.

Using a process weight table with an overspray of 5%, PTE drops to 0.18 tpy.

An engineering estimate (which I’m no longer sure where it came from), estimates PTE of 0.35 tpy.

I did find that the American Composites Manufacturing Association has a [document and workbooks](#) specifically on this, but is for members only:

I do find it unusual that the SDS does not have HAP or VOC content at all. Especially if it is a fiberglass coating, then it would normally contain styrene and MMA.

Q Nancy Larson KS Small Business Environmental Assistance Program 11/17/2020

Dan from Ohio has a new video and is wondering if other states did something similar? For national recycling day, we put together a short video showcasing local artwork made from recycled materials...check it out [here](#). I didn’t know if other states put together something similar.

A Lloyd Kirk OK Department of Environmental Quality 11/17/2020

Yes, we did. Will find the link and send.

Q Lee Ann Briggs PA University of Pittsburgh Small Business Development Center 11/4/2020

I’m looking for help in determining, what if any emissions (VOC/HAP), are generated when cutting polypropylene and/or acrylics with a CO2 Laser Cutter. I’m trying to determine permit applicability.

A Donovan Grimwood TN Small Business Environmental Assistance Program 11/4/2020

Attached is a plasma and laser cutting calculator for metal cutting from Kansas. You might be able to use this as a starting point if you are able to find emission factors to replace the metal cutting

emission factors. This can help with the kerf and speed of the cut which will help evaluate the amount of polypropylene/acrylic being removed. You may want to look at emission for combustion of polypropylene/acrylic as a basis for emissions.

Q Renee Bashel WI Small Business Environmental Coordinator 10/28/2020

There were a number of emails a few months ago about hand sanitizer production at a range of facilities when it was in short supply. Not sure I saw any final responses on emissions. Does anyone have emission factors for those production operations?

A Christine Paulson IA Small Business Air Quality Liaison 10/28/2020

We don't have anything specific in Iowa. It would generally be similar to fuel ethanol production with the exception that they are creating a purer product for storage and then they are blending/denaturing with less polluting materials. Emissions are generally less for both VOC and HAP.

Q Mark Stoddard IN Compliance & Technical Assistance Program 10/20/2020

Last year, an entity engaged in providing fumigation services, made an inquiry of me regarding air permitting obligations with regards to the use of Methyl Bromide for quarantine and pre-shipment uses. For this entity, it meant the treatment of logs/wood in special containers as a batch process. I became aware of the MARAMA Fumigation White Paper issued last year as well as concerted efforts by the states of Virginia, Maryland, Pennsylvania and California to consider evaluations for air permits and the issuance of permits, most if not all, with restrictions to avoid a case-by-case MACT determination. It is my understanding that some of these fumigation entities when aware of air permitting requirements would cease using Methyl Bromide, relocate or go out of business. Last year, I brought this matter to the attention of the SBA who were present during the annual training. They seemed interested. Is this still an issue for states?

A Lynelle Ladd KS Small Business Environmental Assistance Program 10/20/2020

I dealt with two entities that had set up fumigation units specifically to fumigate wood pallets for overseas shipping but that was back in 2001 or so. The potential emissions from the process were not enough to warrant permitting but for whatever reason they did not stay in business long – Kansas is landlocked in the middle of the USA, so I wasn't sure how much business they were going to generate. One set up a unit along a major highway next to a pasture. It was odd seeing it. The owner brought in pallets and then it just sat and looked unused for years, then one day disappeared. Of course, this unit was not in a building and was just venting to atmosphere at the end of the cycle. We have a few of candy manufacturers in Kansas (not small businesses) that were using Methyl Bromide to fumigate nuts before adding them in as ingredients. The unit was vented out the roof and was housed in a separate room of the facilities away from workers. The agency looked at the potential emissions of that activity and deemed it was below major source levels. I am not sure if these companies continue to use Methyl Bromide, since I haven't really worked with them in the SBEAP or P2 capacity (not for lack of trying to get in under the P2 NEA for food/beverage mfgs). I believe that Methyl Bromide pellets were widely used in the grain elevator industry as well, but I don't have a pulse on its use right now. I'd be interested in learning if it is still widely used in grain storage for pest control.

I also wonder if "heat treating" is an option for some of this quarantine and pre-shipment activity. Can the Methyl Bromide be recycled from the process and reused (assuming it is in gaseous form)? Could CO2 be an option to replace Methyl Bromide in these chambers? They may have to increase residence time to ensure suffocation. I am not an entomologist, but it would be interesting to test efficacy. And then as above, could the CO2 be recycled from the chamber for reuse, so it isn't a constant stream of GHG coming from your activities?

A Phyllis Copeland SC Department of Health & Environmental Control 10/20/2020

We have operations at least one facility permitted for export purposes and are reviewing another needs to fumigate on imported goods as part of FDA inspections. The limiting factor in SC is meeting our state toxic air pollutant thresholds. To meet the state threshold requires passing air dispersion modeling which has proved problematic with the use of MeBr.

R Mark Stoddard IN Compliance & Technical Assistance Program 10/20/2020

I assume the conditional permit issued avoids the case-by-case MACT evaluation as well as the requirement to obtain a Title V permit? Do you know how potential emissions were calculated?

Q Tony Pendola Small Business Environmental Assistance Program 9/29/2020

Can you check and see if your air quality program has a total number of autobody shops and/or number of granted Petitions for Exemption? I am trying to guess at the ratio of currently exempted shops. I believe it is a very small percentage of the approximately 25,000 shops out there. Sooner is better than later as I am writing some articles to introduce the new reg nav tool.

A Mark Stoddard IN Compliance & Technical Assistance Program 9/29/2020

About 109 which was based on a list dated July 20, 2011, of which I added entities which submitted from 2017 to 2020. As far as I am aware, Indiana has not received/accepted delegation of 40 CFR 63, Subpart HHHHHH. However, I have been informed that air inspectors will review under 6H if it is included in an air registration, air permit or source specific operating agreement (SSOA). I believe there are about 1,000 \pm 150 automobile refinishing shops in Indiana. I assume the EPA Regional Offices would have the most up to date lists for 6H exemption. Any Region 5 SBEAP who would know the EPA contact with Region 5 with this knowledge or who could provide a copy of their list?

A Belinda Breidenbach ID Small Business Development Center 9/29/2020

Idaho took delegation several months ago. Since then, I don't think there have been any exemption requests. Unfortunately, I don't have any numbers of EPA approved 6H exemptions. I agree that qualitatively it is a very small percentage.

A Jennifer Lipkin NV Small Business Environmental Assistance Program 9/29/2020

Clark County doesn't track 6H exemptions. Someone would have to research each source's history to know the totals.

A Harry Ching NY Small Business Environmental Assistance Program 9/29/2020

For NYS, from 2012-2020 there have been 112 exemption requests for 6H. Don't know how many total body shops as some are exempt from permitting in some parts of NYS. Estimate is 2k - 3k.

A Phyllis Copeland SC Department of Health & Environmental Control 9/29/2020

Our Air Toxics Program has granted 154 exemptions since the rule went final. We have issued ~400 registration permits to autobody operations. There are plenty here that we know nothing about, we just don't consider them a priority from an outreach perspective.

A Christine Paulson IA Small Business Air Quality Liaison 10/16/2020

Iowa currently has 135 exemptions out of a total of 621 shops. We have a new employee in the position that tracks NESHAP compliance, so it took her a little longer to get this information.

Q Jennifer Lipkin NV Small Business Environmental Assistance Program 9/29/2020

Clark County was officially designated non-attainment for ozone. Our department just learned about the Emissions Statement for NOx and VOC for sources over 25 tpy of actual emissions. They are in the process

of creating a form and are including me in the discussions. We have looked on the various websites, but it appears that most agencies mention the requirement and statutes but have online forms that random people cannot access. There is nothing we can look at to get an idea of what information is included and how it is presented. Obviously, the requirements are in the CFR, but are you just getting totals? Is every emission unit/exempt unit itemized? Do they submit all of the methodologies/calculations or just a total and provide details upon request? That sort of thing.

A Sean Taylor GA Department of Natural Resources 9/29/2020

See the email chain below and the attached screenshots for how Georgia does the Emissions Statement for the Ozone nonattainment area around Atlanta. The facilities subject to this requirement also have a condition in their permits that require them to perform this task:

“The Permittee shall provide the Division with a statement, in such form as the Director may prescribe, showing the actual emissions of nitrogen oxides and volatile organic compounds from the entire facility. These statements shall be submitted every year by the date specified in 391-3-1-.02(6)(a)4 and shall show the actual emissions of the previous calendar year. [391-3-1-.02(6)(b)1(i)]”

E-mail chain copied below:

Do you have anything you can share with Clark County about our emissions statement forms / process?

Unfortunately, the Emissions Statement (ES) is collected in GECO, so there is no example form that we can share. However, I can explain the process. Currently, Georgia Rules for Air Quality Control 391-3-1-.02(6)(a)4 requires facilities that emit greater than 25 tons per year of nitrogen oxides (NOx) or volatile organic compounds (VOCs) to submit statements of those emissions annually. Note, that the emissions provided for NOx and VOCs is facility wide. If a facility is subject to ES, they can register their email at GECO and then request ES access. We can link their email account with their AIRS NO. Then, they can log in GECO, click on ES, and can confirm their contact info and then enter VOC and NOX emissions. The due date is June 15 of each year. EPD IT, I wonder if there's a way that you can access the Emissions Inventory pages on GECO to see what it actually looks like for the companies that are reporting. Frankly, I'm a little curious myself if the companies are just reporting a single number for each VOC and NOx or if they actually have to provide any supporting information when they enter it into GECO.

I've attached screenshots of the Emission Statement process in GECO. Number 6 is the only one of interest to your question, and the answer is we just ask for a single value for NOx and VOC emissions with no supporting info.

A Mark Stoddard IN Compliance & Technical Assistance Program 9/30/2020

My colleague, Angela Taylor, who is very knowledgeable, provided the following as well as the attachments. Excerpting one of the Q&A below:

Q. Do I have to report this year?

A. Smaller sources located in Lake or Porter County will have to report every year that they actually emit 25 tons or more of VOC or NOx. The rest of the sources will only have to report annually if they have potential to emit 250 tons or more per year of VOC or PM10, or 2,500 tons per year of CO, NOx, or SO2. If you are in the second category, you MAY not have to report this year if you have submitted to IDEM the Administrative Permit Amendment or Notice Only Change. Please refer to Section 3 of the Emissions Statement Rule (326 IAC 2-6) for the reporting schedule.

Here is all the info. from our OAQ website (consolidated and in a different order). The forms are linked below, and I attached the appropriate portion of our rule, IAC 2-6 (excerpt from IAC 2) and a flowchart for determining applicability.

OAQ Reporting

Many Indiana companies report emissions data as required by the Emission Reporting rule (326 IAC 2-6). An emissions statement contains the amounts of nitrogen oxides, volatile organic

compounds, sulfur dioxide, carbon monoxide, particulate matter that is 10 microns or smaller, and lead released to the air each year. The IDEM Office of Air Quality (OAQ) collects and compiles emissions data for compliance, billing and planning. OAQ uses the Emission Inventory Tracking System (EMITS) as the primary method of collecting emissions. The reported emissions are used to determine compliance, for Title V billing purposes and for technical purposes such as modeling, redesignations, and rulemaking. Accurate emissions data is important for future program development by OAQ.

If you have questions regarding air emissions reporting, please contact OAQ staff.

Online Emission Statement Reporting System:

The Emission Inventory Tracking System (EMITS) is an online tool for reporting the emission statement. This will no longer require reporters to install software and will allow users to submit the emission statement electronically.

EMITS FAQs

Q: What is EMITS?

A: The Emission Inventory Tracking System (EMITS) is a tool made available to those companies that are required to report their air emissions under the Emission Statement Rule (326 IAC 2-6). The system was designed to take advantage of a centralized database that will no longer require reporters to install software on their computers and also allow for quick updates as required. EMITS can also act as a source to recover lost or previous reports as it will hold multiple years' worth of data.

Q: Who can access EMITS?

A: EMITS is limited to those that are required to report their emissions. IDEM makes summary data of the submission available to the public. More detailed data can be made available upon request.

Reporting Forms and Instructions:

Instructions and forms for submitting the annual air emissions by paper copy. Includes the forms and instruction for updating an existing facility and adding a new facility. Instructions and forms are available on the IDEM Forms page for submitting the annual air emissions report by paper copy. They include the forms and instructions necessary for updating an existing facility and adding a new facility. These forms are not necessary, if an electronic reporting submission is made online. Forms and instructions are available in either Microsoft Word or Adobe Acrobat formats. If you have any questions regarding these forms, please contact OAQ staff.

The required forms that are available on the IDEM Forms page are:

- AES-01 Air Emission Statement Certification - 52052 [\[PDF\]](#) [\[DOC\]](#)
- AES-02 General Facility Information - 52053 [\[PDF\]](#) [\[DOC\]](#)
- [AES-02 Instructions](#)
- AES-03 Stack Information - 52054 [\[PDF\]](#) [\[DOC\]](#)
- [AES-03 Instructions](#)
- AES-04 Abatement Equipment - 52055 [\[PDF\]](#) [\[DOC\]](#)
- [AES-04 Instructions](#)
- AES-05 Group/Process/Emissions Information - 52056 [\[PDF\]](#) [\[DOC\]](#)
- [AES-05 Instructions](#)
- AES-06 Voluntary Hazardous Air Pollutant Reporting - 52057 [\[PDF\]](#) [\[DOC\]](#)

Voluntary Reporting of Hazardous Air Pollutants:

Complete list, information, and forms

Guidance Materials for the Emissions Statement

Approval of Alternate Emission Factors:

IDEM Nonrule Policy concerning the use of emission factors not found in U.S. EPA guidance. Available on the IDEM Nonrule Policies page.

Clearinghouse for Inventories & Emissions Factors:

Contains a great deal of information about emission factors ([AP- 42](#), [WebFIRE](#)) and [codes used for reporting emissions](#)

Emission Reporting Rules:

[Indiana Emission Reporting Rule \(326 IAC 2-6\) \[PDF\]](#)

[U.S. EPA Consolidated Emissions Reporting Rule \(CERR\)](#)

[Guidance for the Interpretation of the Term "Emission Data" \[PDF\]](#) - This concerns the confidentiality of emission data submitted to the Office of Air Quality and in particular under the Emission Reporting Rule.

[Emission Reporting Rule Information](#)

[Emissions Reporting Rule \(326 IAC 2-6\) \[PDF\]](#)

[Will I have to report? \[PDF\]](#)

[Frequently Asked Questions](#)

Q. Do I have to report?

A. You will only report regularly if you are a Title V source, a source that emits 25 tons or more of NO_x in Lake or Porter Counties, or a source that emits 5 tons or more of lead. (Section 1)

Q. How often will I have to report?

A. Sources located in Lake and Porter Counties will continue reporting annually. The rest of the sources in the state will have to report annually only if they have the potential-to-emit VOC or PM₁₀ at 250 tons or more per year, or CO, NO_x or SO₂ at 2,500 tons or more per year. The rest of the sources will have to report the previous year's emissions data once every three years. (Section 3)

Q. When will I have to report?

A. Emissions Statements are required by July 1st. (Section 3)

Q. Can I go ahead and report on April 15 th even though the reporting date has been changed to July 1st?

A. Yes. Sources can always report early.

Q. Do I have to report this year?

A. Smaller sources located in **Lake or Porter County will have to report every year that they actually emit 25 tons or more of VOC or NO_x**. The rest of the sources will only have to report annually if they have potential to emit 250 tons or more per year of VOC or PM₁₀, or 2,500 tons per year of CO, NO_x, or SO₂. If you are in the second category, you MAY not have to report this year if you have submitted to IDEM the Administrative Permit Amendment or Notice Only Change. Please refer to Section 3 of the Emissions Statement Rule (326 IAC 2-6) for the reporting schedule.

Q. My source does not have a Part 70 Permit, it is not located in Lake or Porter counties, and I have submitted for the change to the permit (if necessary), do I have to report last year's emissions?

A. No. As long as the IDEM has received the change to your permit we do not expect to receive an emissions statement from you.

Q. My source does not have a Part 70 Permit, it is located in Lake or Porter counties, and I have submitted for the change to the permit (if necessary). Do I have to report last year's emissions?

A. Only if you have a Part 70 permit or have actually emitted 25 tons or more of VOC or NO_x. If you have a Part 70 permit, please refer to Section 4 of the rule for the reporting schedule. You may not be required to report annually.

Q. I am filling out the State Form 51665 (3-04), but what do I put in the box asking to identify the emission reporting requirement?

A. Just list where the emissions statement requirement is located in your permit (a paragraph in Section C in most permits).

Q. How do I determine my Potential to Emit?

A. Your Potential to Emit should be in your final permit or in your permit application. One place to look would be in the technical support document.

Q. What if my source has taken an enforceable limit in the permit?

A. The effect of those limits should be included in your determination of Potential to Emit for your facility. For instance, your Title V facility does surface coating, and has taken a limit on the amount of product coated in a 12-month period to ensure that your source does not exceed 250 tons of VOC. Your facility would fall under the triennial reporting, not annual reporting.

Q. What do the recent changes to the Emission Reporting rule (326 IAC 2-6) mean for Annual Compliance Certifications?

A. FESOPs - The current permit will need to be revised to remove the permit condition requiring the submission of an annual emission statement. After removal, the permit condition will no longer be referenced in the Annual Compliance Certification as an applicable requirement.

Part 70 (Title V) sources that will report every 3 years - This condition will remain in the permit, however the reporting timeframes under 326 IAC 2 - 6 will control. For those years that an emission statement is not required, the source may indicate that the condition is "not applicable" (N/A).

Part 70 (Title V) sources that will report annually - There will be no change in the Annual Compliance Certification requirements. The source will continue to certify whether compliance with this condition was continuous or intermittent and the method used to make that determination.

Q. Are there any new requirements?

A. Yes. To address changes in EPA reporting rules, IDEM has added a few requirements. Some of the new requirements also reflect changes in recordkeeping. An example is that the federal government has stopped using the Standard Industrial Classification code and is now using the North American Industrial Classification System (NAICS). Other reportable items include:

1. Design Capacity
2. Maximum Nameplate Capacity
3. Stack Parameters
4. VOC or PM10 emissions must be reported as a *total*.
5. Sulfur, Ash, and Heat content are now required to be reported if they are used in the emissions calculation.
6. The emissions statement must now be certified by the responsible official.

Q. Do I have to report hazardous air pollutants (HAPs)?

A. Not on a regular basis. The rule does allow for IDEM to request this information but reporting hazardous air pollutants was not made a regular reporting requirement. The Title V permits still require that sources pay for "billable" HAPs. Those are HAPs that have been determined to not be PM10 or VOC (see the certification letter for the list of billable HAPs) (Sections 4 and 5)

Q. When would I have to report hazardous air pollutants?

A. Only when requested by IDEM, not on a regular basis. The rule allows IDEM to require that this information be reported when it is to be used to study an area or an industry, to develop state implementation plans, to address public complaints, to better develop modeling inventories, to reply to information requests, and to verify Toxic Release Inventory information. (Section 5)

Q. How will the changes affect the Title V (Part 70) billing?

A. For Title V sources reporting annually, the changes will not impact how the bills are calculated. For Title V sources that will report once every three years, the emissions statement will be used to calculate their bills for three years, until they report again. In the

interim years, however, a source can provide information that emissions have changed. For example, a source could dispute their bill and provide an updated emissions statement if emissions have decreased. Conversely, the department can request additional emissions information for billing purposes if it has reason to believe emissions have increased.

Q. What if I am in one of the counties designated nonattainment this year for the ozone or particulate standards?

A. U.S. EPA will designate ozone nonattainment areas on April 15th and particulate matter nonattainment areas in December. Until U.S. EPA issues implementation guidance, the impacts of a nonattainment designation are unclear. IDEM will work with sources to make a transition as smooth as possible, when the time comes.

A Renee Bashel WI Small Business Environmental Coordinator 9/30/2020

I was not aware of this 25 TPY and 50 TPY reporting requirement. But then in Wisconsin, we have annual air emissions reporting requirements with thresholds that trigger reporting at 3 TPY VOC and 5 TPY NOx, along with individual thresholds for 500+ HAPs based on our state HAPs rule and federal HAPs thresholds. The thresholds are listed in this [code](#). You can learn about our reporting system [here](#). There are video tutorials that will show you some of what our reporting system looks like. You can also use our [Permit Search tool](#) and look for the “Emissions Inventory Reports” tab to see the final reports submitted by a specific facility. Try searching by a specific SIC or NAICS to find a facility to check out. Or let me know and I can set up a short skype or zoom call to walk you through a “dummy” facility in our system.

R Jennifer Lipkin NV Small Business Environmental Assistance Program 9/30/2020

Clark County is only marginal non-attainment for ozone. I think as your attainment status gets worse, the thresholds that trigger Emission Statement submittal get lower.

Q Leena Divakar KS Small Business Environmental Assistance Program 9/25/2020

We have been working on [EPA's dental amalgam rule](#), and so far, we have received a response rate of 70% out of 322 dental facilities contacted. We realize the deadline for the one-time compliance report is due on Oct 12, 2020 and have notified the non-responsive dental facilities of their responsibility. Some of them were informed, more than four times! This leads us to speculate whether it is the inefficient communication between the dentist and the office staff or, as some of them have indicated, is it due to a long backlog for separators since the demand is high? We know the dentists are not used to being regulated, and the COVID situation is not helping either! We would like to hear about the outreach response rate of your state and if there are any similar issues that you have faced.

Q Eric Florio NV Small Business Assistance Program 9/25/2020

I'm in the process of putting together a workshop for small businesses in Nevada which would walk them through preparing permit applications and process flow diagrams contained within permit applications. I was wondering if anyone in the SBEAP has done a workshop like this or seen one. If anyone has, would you be able to share information you may have on the topic?

A Mark Stoddard IN Compliance & Technical Assistance Program 9/25/2020

The IDEM Office of Water Quality gave a presentation a little over two years ago regarding NPDES industrial pretreatment permit applications.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 9/22/2020

I have taken a couple of calls recently about Ozone generating equipment. It seems some businesses are interested in manufacturing or assembling these types of units and had questions about permitting requirements for the units themselves (e.g., like manufacturers of engines have emission standards/requirements under EPA regulations, the clients wanted to know if EPA or the state has

regulations limiting or regulating the amount of ozone emitted from a piece of equipment they intend to manufacture and sell to the public). It has been since I worked as an Industrial Hygienist, which was over 13 years ago, that I have dealt with the Ozone generator issue and health concerns related to these devices, so I found some information. EPA has some information on their [IAQ page](#) and EPA also considers them to be “pesticide devices” under FIFRA, see a List N Q&A page <https://www.epa.gov/coronavirus/why-arent-ozone-generators-uv-lights-or-air-purifiers-list-n-can-i-use-these-or-other>. It looks like California has a certification program for California [manufacturers](#) of this type of equipment (and I believe for anyone wanting to sell the equipment in California, as well). I am not sure about other states, but Kansas does not at this time. How about anyone else?

FDA has some regulations when Ozone is used in a “medical device”. And of course, OSHA, NIOSH, and ACGIH have exposure levels for Ozone. Anyway, I thought I’d share some links and ask if anyone else has had recent questions about this type of equipment or has some additional good information about this, because the original question was related to whether the units would be regulated for emitting Ozone directly. In Kansas, under our ambient air program they would not be, because even under PSD it appears Ozone is only regulated via the precursor criteria pollutants, NOx and VOC, and not via an emission unit that is directly emitting ozone. Who knew in 2020 we’d have people desiring to INTENTIONALLY emit ozone into schools and the environment?

Q Sara Johnson NH Small Business Environmental Assistance Program 7/6/2020

I am working on a fact sheet on what small business/homeowners can do to recycle/dispose of their solar panels if they are broken. I am specifically looking for a factsheet or guidance document from a state assistance program rather than Earth 911 or Recycle Today, etc. Really what I am looking for is a little inspiration on the Monday after 4th of July weekend. Your guidance documents may have visuals or ideas that I can use in my fact sheet.

A Donovan Grimwood TN Small Business Environmental Assistance Program 7/7/2020

I haven’t developed any factsheets or guidance on this as I have only been asked the question once. Here is the information I did find and sent to the client: I did some research and found a few articles related to the subject. There were multiple references to a UK/European program called PV Cycle that could be a good resource for you. Also, First Solar which is a multi-national company that may also be a good resource and a little closer to home as far as connecting with. PV Cycle in particular had a 94% or higher recovery of materials rate using a pyrolysis technique. As this has some similarities to some research occurring at Oak Ridge, you may want to contact the Institute for Advanced Composite Manufacturing Innovations as they may additional resources or technical expertise that could help develop a process for you.

<https://earth911.com/eco-tech/recycle-solar-panels/>

<http://www.firstsolar.com/en/Modules/Recycling> (call at 877-850-3757 or 419-662-6899 or use contact form on website)

<https://www.renewableenergyworld.com/articles/2016/06/solar-pv-module-recycling-why-it-s-important.html>

<https://www.greenmatch.co.uk/blog/2017/10/the-opportunities-of-solar-panel-recycling>

<http://www.pvcycle.org/usa/> (PV Cycle is an association and has a USA branch that can be connected through an online form on this website for more information)

A Michael D Springman IL Illinois Sustainable Technology Center 7/7/2020

Researchers at ISTC have been looking into the problem of recycling solar panels. I reached out to them for comments on your questions. Their responses are included in this email.

A Nancy Larson KS Small Business Environmental Assistance Program 7/7/2020

Did you try writing to EnergyStar.gov? Seems like this is a topic they would have expertise on.

A Kenya Stump KY Departmental for Energy Development & Independence 7/7/2020
NCSL addresses it in their Solar Policy Toolkit <https://www.ncsl.org/research/energy/solar-policy-toolbox.aspx>

Q Jennifer Feverherm WI Small Business Environmental Assistance Program 6/8/2020

We are starting to look at developing some compliance tools and resources for local governments. In this initial stage, I am looking for examples. If your program has any compliance resources or pollution prevention tools that are specifically geared for local governments, might you point me to them?

A Nancy Larson KS Small Business Environmental Assistance Program 6/8/2020

I recommend you check out the [Compliance Assistance Center for local governments](#). In Kansas we have done very limited work with locals – we have helped municipalities with some engine rules like 4Z, but that was with special permission from our funding agency.

A Jenifer Dixon MI Small Business Environmental Assistance Program 6/9/2020

We have a webpage with [resources specific to this stakeholder group](#). We have also been holding a webinar series specifically dealing with the issues and regulatory situations locals deal with.

Q Renee Bashel WI Small Business Environmental Coordinator 6/3/2020

Does anyone have a list prepared that shows solvents with low vapor pressure that are likely to meet RACT requirements in nonattainment areas?

A Mark Stoddard IN Compliance & Technical Assistance Program 6/8/2020

I attempted to create a list of organic molecules along with their respective vapor pressure at 20 °C. I started by conducting a search and found that Minnesota TAP had a list. I attempted to add to it. However, I experienced some difficulties in acquiring additional organic molecules and their respective VP at the same temperature. I eventually gave up the effort since many of Indiana's regulations that might impact a small business did not emphasize vapor except for the generic regulation pertaining to organic solvent degreasing – less than 1 mm Hg at 20 °C for single molecules or mixtures where constituents represent 1 % wt. or greater of regulated VOC [not excluded by the CAA – 40 CFR 51.100(s)(1)].

[This was created to provide informational resources regarding degreasing operations](#). Included is a [link to degreasing solvent alternatives and VOC exempt additives](#) and [obligations for cold cleaning degreasing](#). I am aware of, but have not used the EPA software, [PARIS III \(Program for Assisting the Replacement of Industrial Solvents\)](#). Some manufacturers such as Eastman have a [solvent selector guide](#). Mixtures can be problematic especially if combining organic, inorganic and non-VOC [under CAA]. I believe it is the composite vapor pressure that counts.

Q Sara Johnson NH Small Business Environmental Assistance Program 5/21/2020

Client generates 40 tons of garnet sandblast media material. Currently going to landfill. Would the cement or asphalt industry be interested in this material? I was thinking of contacting the trade association in the region. Are there other options for this material?

A Donovan Grimwood NH Small Business Environmental Assistance Program 5/21/2020

Not sure. It may depend what they were sandblasting and how much of that material might be still mixed in and what concentration it may have. Garnet is very hard and may or may not be a good additive for pozzoloning material (I think that is the term) like fly ash can be. It may be a nice additive for coloration of cement. Asphalt may be somewhat more forgiving in terms of mixing it in. Even if there is metal or non-hazardous paint included. But yes, contacting the local trade association should give you some good insight as to the viability for using it in concrete or

asphalt.

Another option may be sandpaper companies. As noted garnet is a hard material (Mohs scale 8) and good for higher end sandpaper. Potentially if there aren't many contaminants, they could use it and adhere it to the paper or other more solid abrasive media. Essentially solidifying the material for another abrasive purpose.

A Mark Stoddard IN Compliance & Technical Assistance Program 5/21/2020

I am not certain about the credibility of the source; however, the following abstract is worth perusing - [Performance of spent garnet as a sand replacement in high-strength concrete exposed to high temperature](#). In part, I think it would depend on the concentration of contaminants, 8 RCRA metals, and leachability. Though the presence of such contaminants might not make the spent material hazardous waste, it may be of concern for the end use.

A Mark Stoddard IN Compliance & Technical Assistance Program 5/21/2020

The following is a response from a colleague of mine.

Mark: In consideration of the query posed below from the NH SBEAP, I thought you would know what would be required in Indiana if an asphalt or concrete batch plant wished to use spent garnet as an ingredient in their mix. I assume the spent garnet would need to be tested to assess whether contaminant level would be Type III or IV? If not, perhaps the garnet would need to be cleaned in some fashion to remove any undesired contaminants to make it amenable for reuse?

The other potential concern is whether garnet loses any or some of its physical or functional attributes while being used for abrasive blasting that would allow it to function within an asphalt or concrete matrix.

Tracy: Yeah, I assume the garnet is from some sort of blasting operation? Or I suppose it could be dust from cutting, grinding or buffing. We would want to know more about how it's generated and it's physical characteristics (materials testing type information). There's a tendency to jump to the environmental testing without looking at the viability from an engineering perspective. Maybe that question has been answered and it's not included in the email they sent. So I would first talk about the viability of use. Does it meet a materials specification for concrete or asphalt? If this is dust or a very fine particle, I doubt the asphalt or concrete plants can use it. Or use enough of it if they have to blend it with other aggregate.

If all of that checks out, again, we would need more information on the process and potential contaminants. I would also take the nature of the use into account. If it is being encapsulated (or micro encapsulated as some would say), waste classification testing may be over kill. We've typically reserved that for situations where larger volumes are placed on the ground and covered - example: road base.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 5/19/2020

With all the uptick in hand sanitizer manufacturing I had a call about distilling industrial grade alcohol and EPA registration. Does anyone know if a distillery decides to manufacture "industrial grade" (this would be not for human consumption because it could have some impurities), do they need to register that product with the EPA? And if so, which part of EPA does that registration? The company knows they will have to register with FDA for the alcohol that is for human consumption, but aren't sure about industrial grade alcohol that they may sell to outside sources who use it in other industrial processes or for hand sanitizer etc. (this would not be fuel grade alcohol however).

A Donovan Grimwood NH Small Business Environmental Assistance Program 5/19/2020

For those that are wanting to register it as antimicrobial, they would typically need to go through the EPA Pesticide Division, Antimicrobial program. However, if they aren't going for antimicrobial designation, I'm not sure exactly how the rules have been relaxed in regard to retooling. I do know that quite a few have been doing it. But that is the quick, off the top of the head answer and may not be entirely accurate.

A Donovan Grimwood NH Small Business Environmental Assistance Program 5/19/2020

Here is an [article I found relating to it](#) and it has links that may go further.

A Tony Pendola NC Small Business Environmental Assistance 5/19/2020

I don't trust everything I have heard about this, but here are a couple websites that might help. I think FDA does hand sanitizer and not EPA.

<https://www.epa.gov/coronavirus/why-arent-hand-sanitizers-listed-list-n>

https://www.fdahelp.us/fda_otc/hand-sanitizer.html

R Lynelle Ladd KS Small Business Environmental Assistance Program 5/19/2020

I am getting a lot of great feedback, but I might not have been clear, so my apologies. It isn't just about hand sanitizer, it would be about selling "industrial grade" alcohol to entities that might use it for multiple industrial purposes. Is there a registration requirement by EPA for "industrial grade" alcohol, in general?

A Mark Stoddard IN Compliance & Technical Assistance Program 5/19/2020

There are many end uses for ethanol which would make it impractical for any one agency to regulate its production and use. "Registration" seems to imply FIFRA. FDA and DOE also have oversight. Its use in industry may suggest certain concentrations and/or mixtures with other ingredients.

References:

<https://www.grainprocessing.com/alcohol/alcohol-grades.html>

<https://www.fda.gov/media/136390/download>

<https://www.chemicalsafetyfacts.org/ethanol/>

R Lynelle Ladd KS Small Business Environmental Assistance Program 5/19/2020

I will pass these links and others along to the client. Seems like they need to evaluate who they are selling to and in some cases it seems like it might be the end-users responsibility to register depending on what they are doing with the alcohol sold to them.

Q Nancy Larson KS Small Business Environmental Assistance Program 5/18/2020

COVID-19 has sidelined most of our in-person technical assistance outreach and compliance site visits. If your program plans to offer on-site technical assistance to industry, do you have a plan for COVID precautions? If yes, please share!

In Kansas, our draft plan looks like this –

- Site visits: procedures evolving as new recommendations from the CDC are released, but we plan to take a few additional steps in addition to the recommendations for wearing masks if social distancing is not possible.
 - Use professional judgement to determine if work can be accomplished via Zoom.
 - Check with requesting company to review their current internal COVID policy, ensure PPI agrees with it and feels comfortable proceeding with the on-site visit.
 - If proceeding with on-site visit (or in-person meetings), ask each PPI staff to check temperature and confirm no exposures day of site visit.

- Require the use masks but maintain social distancing when able.
- Review basic hand wash, use of hand sanitizer pre and post site visit.
- Sanitize common surfaces (cars or workspace) as needed.

R Sara Johnson NH Small Business Environmental Assistance Program 5/19/2020

Please share your responses. I have been tasked to draft one up for our agency.

Q Mark Stoddard IN Compliance & Technical Assistance Program 4/16/2020

A colleague of mine is seeking information. How do other states issue air permits/registrations for portable concrete and/or RAP (recycled asphalt pavement) crushing operations that move from site to site. These operations may require permits (exceed a certain air pollution threshold) or might be exempt from an air permit. Operations can be very brief (e.g., demolition of a building) or somewhat longer term (e.g., road construction) creating temporary stockpiles of crushed aggregate (concrete, asphalt, etc.).

A Jenifer Dixon MI Small Business Environmental Assistance Program 4/16/2020

In Michigan, we require the unit and associated equipment have a permit – general, if they can meet the requirements, or site specific if they cannot – and then a notification be submitted every time they move. We have a [website dedicated to these processes](#). We have also provided a lot of training, in person and via webinar for the facilities in operating in our state. Let me know if I can help further.

A Phyllis Copeland SC Department of Health & Environmental Control 4/16/2020

In SC, we have a Registration Permit that covers most operations (see attachment). For quarries, asphalt and concrete plants, if the unit is solely for their sites we add to their regular. (Attachment)

A Christine Hoefler CO Small Business Assistance Program 4/16/2020

Colorado requires a permit when they meet our permitting thresholds. They have to report, on a relocation notice, every time they move sites. If a source stays at a site for longer than 2 years we no longer consider them portable and they have to obtain a Stationary permit. If it is a construction site we have a Land Development permit for sites that are larger than 25 acres or the duration or the project exceeds 6 months. Let me know if you would like more information.

A Jeremy Hancher PA Small Business Development Center 4/16/2020

Pennsylvania is similar to Michigan in that there is a general permit for Portable Nonmetallic Mineral Processing Plants. The terms of the general permit and the change of location applicability is described in the "Conditions" section of the permit:

Term of Permit

Authority to use this General Permit is granted for a fixed period of five years. The authority to operate the portable nonmetallic mineral processing plants at one location would be allowed for: a. No longer than twenty-four (24) months for plants, which are temporarily located at construction sites. b. A maximum up to (5) years for plants, which are located at sites for which a valid mining permit or an air quality permit exists for the operation of nonmetallic mineral processing plant. Authority to operate the portable nonmetallic mineral processing plants beyond the stipulated periods in 9a and 9b above at one location would require a new authorization from the Department. The Department will notify each applicant, in writing, when authority to construct and/or operate under this General Permit is granted.

Change of Location

In advance of each change in location without any modification of the portable nonmetallic mineral processing plant the permittee shall, in accordance with 25 Pa. Code § 127.641, notify both the Department and the municipality where the operation will take place. The notice to the Department shall require an application and appropriate fees required by Condition 10.b

If the operation uses an IC engine then another general permit may apply for that unit/operation.

A Renee Bashel WI Small Business Environmental Coordinator 4/16/2020

Wisconsin has general permits for both rock crushing and asphalt plants. If it met the eligibility for the general permit, this type of operation could be covered by either permit depending on whether the crushing equipment was always associated with the asphalt plant or was stand-alone. Each permit has an associated portable notification process for whenever the unit is moved. If not eligible for the general permit, they would likely need a source specific permit.

A Harry Ching NY Small Business Environmental Assistance Program 4/16/2020

Believe it or not, NYS only requires notification for temporary operations that lasts 90 days or less. No permit/registration. They are however, reviewed case-by-case.

A John Podolinsky MT Small Business Environmental Assistance Program 4/16/2020

Montana recently switched from permitting portables to registering them. [Here's more](#). Troy Burrows is our portables registration rep at 406-444-1452.

A Christine Paulson IA Small Business Air Quality Liaison 4/16/2020

In Iowa, we require construction permits for both concrete batch plants and crushing plants. We have developed templates for these types of units that have predetermined limits. These limits include setbacks, production limits, fuel limits, hours of operation limits, prohibition of other emission units and others. These were determined using emissions estimates and dispersion modeling. The templates can apply to stationary or portable plants. If a facility does not want to use the template, they can apply for regular construction permits. The review process will include the same types of analysis but using site specific inputs. When portable plants plan to relocate they are required to notify us in advance. This gives us the opportunity to see if the new location is suitable.

Q Nancy Larson KS Small Business Environmental Assistance Program 4/8/2020

I am working with an aerospace parts shop that heat treats their aluminum parts in a sodium nitrate (or is it nitrite?) and potassium nitrate bath that is 900 degrees F. To cool the parts they put them in a 1500-gallon quenching tank that just contains city water at room temperature. His former practice was to bleed off the quenching tank water to the POTW, but he recently discovered he have been exceeding his chrome discharge limits, so no longer discharges.

I am looking for cost-effective options for him to remove the dissolved chrome and/or extend the bath life indefinitely. I am going to consult our friends at the [Surface Technology Center](#), but any ideas from you would be welcome.

A Lynelle Ladd KS Small Business Environmental Assistance Program 4/8/2020

Reverse osmosis (pre-treatment of the water prior to discharge to the POTW) is the method used by our aerospace facilities. Will still have hazardous waste at the end of process, but water can be discharge to POTW. Chelating agents are a potential, although still have disposal issues and hazardous waste. There is nanoparticle remediation studies that are promising, but might be cost prohibitive. It is possible that there are mechanical filters on the market to remove CrVI but not sure if industrially available.

A Jim Cain MA Office of Technical Assistance 4/8/2020

My guess is that the quench water can be very hot. Maybe recirculation through an air-cooled finned tube heat exchanger would be more practical than treating for trace amounts of chrome.

A Mark Stoddard IN Compliance & Technical Assistance Program 4/9/2020

I inquired with an engine remanufacturer that used a Kolene molten salt bath for immersing cast iron parts, mostly for cleaning. They have since replaced that process.

Their response: “Years ago we did use what sounds like a similar process, but it was all before my time. We used it to clean engine blocks and eventually replaced it with our current pyrolysis ovens. My understanding is that the ovens are far cleaner, easier to work with, use less floor space, reduced waste, and we less expensive to operate. I found the video below that give a quick rundown of a similar process. Not the exact same application, but from what I know about it, our old system worked in a similar way.

<https://www.youtube.com/watch?v=zW-2Gvv-Ebk>

As far as the waste, we used most of it to help with pH adjustment in our waste treatment plant. I am not aware of any chrome issues coming from that and the City of Jasper tests our water on a very regular basis. Let me know if you have any other questions. I could also put you in contact with someone from our team who would know more detail about how our system worked.” Let me know if I need to follow-up with this person. Another thought is the use of an anion exchange resin to separate Cr(VI) ions from the water.

A Nancy Larson KS Small Business Environmental Assistance Program 4/9/2020

Thank you to those that helped generate solution for this small business client. I did get a chance to consult with George Cushnie of the sterc.org and below is a summary of options identified for the client. Naturally, I am not able to see the client’s process right now, so I only have the information the client provided and the client knows their business operations best.

Options researched -

1. Set up a second quenching tank if space. Use it in series and counter flow the water from the cleaner tank as make up water to the more soiled tank.
2. Use the one or if possible the two quench tanks until too soiled to use. Meaning, continue the use of the same bath (maybe for years) simply adding makeup water. See disposal options in #4.
3. Use an option for a chill unit or heat exchanger to keep quench water cooler in summer months especially.
4. When water is too soiled to use, disposal options include:
 - a. Haul water off via a licensed hauler that will take water and sludge, assuming it has been tested and proven it is not RCRA hazardous waste. There is a good chance that the solids or sludge may fail TCLP for chrome and have to be managed as a hazardous waste.
 - b. Contract with a service that will run the water through an ion exchanger - I am told these services may be difficult to find, but there used to be one in Minnesota.
 - c. Use a [cone-shaped bottom tank](#), allowing solids to settle to the bottom in the cone, remove solids periodically for testing and disposal, likely as a RCRA hazardous waste.
 - d. Use a filter system to pump water through filter, then filter will need to be tested for the chromium and will likely be a RCRA hazardous waste.
5. Two processes that were NOT recommended –
 - a. Chemical treatment – this would likely be too complicated, expense and would still make it difficult to capture the chromium for disposal.

b. Reverse osmosis – my expert indicates this would only remove 30% of the contaminants and would not be cost-effective.

Q Donovan Grimwood TN Small Business Environmental Assistance Program 3/17/2020

Have any of your states developed emission factors for hand sanitizer or other products that may suddenly have an increase in usage or production? Also, are any of your states that do not already have a fast track method looking into such for specific products?

I was able to find one assistance I had worked on previously, but noted that the emissions (created by the client) indicated complete evaporation of VOCs rather than partial so that a product would be left (similar to paint manufacturing or other liquid/gel low vapor pressure materials). I also found a permit in TN for one of the larger consumer products manufacturers that had 2 20,000 gallon isopropyl alcohol storage tanks, but the tanks were considered insignificant sources under TN and I couldn't find a hand sanitizer type product they were manufacturing. So any examples that would be more specific and correct are welcome.

In addition, it would seem that hand sanitizers would need to be registered with the EPA Pesticide Division, Anti-microbial Office. There may be additional state level connections to this (in TN pesticides are handled through Dept. of Agriculture).

A Lynelle Ladd KS Small Business Environmental Assistance Program 3/17/2020

I honestly don't think that Kansas' KDHE Bureau of Air would look at this at all for permitting, essentially because if it is personal, hygiene use and not an industrial application planned to be used going forward at the same levels than right now (e.g. using isopropyl alcohol as a part cleaning agent in aerospace), and in a National Emergency, they are not going to regulate this. Speaking of National Emergency, I saw something I haven't had time to read on LinkedIn about "Force Majeure and impact of Covid-19 on your operations," so people are looking at this to see what companies need to report regarding emissions if there is emergency closures etc.

Back to isopropyl, in industrial cases, the assumption in Kansas would be "usage equals emissions" as it relates to uncontrolled use of isopropyl alcohol e.g. as a cleaner that does not leave a coating on a part. The situation with tank storage is that it is mostly contained, and dependent on ambient temperatures, tank color, roof type, etc. you can assume some loss through tank vents (EPA's Tanks 4.09), so one shouldn't see significant emissions from tanks considering the intent is not to lose product. I think if you assume that usage of hand sanitizer equals 100% emissions, they'd have to use A LOT of sanitizer before there'd be a concern unless they are already emitting VOCs at or near thresholds (for permitting, major source etc.)

A Jenifer Dixon MI Small Business Environmental Assistance Program 3/17/2020

I talked to my permit section and I they do not know of anything specific to this industry. Like Lynelle stated, I would assume some sort of mass balance should be assumed. Additionally, our state is not enacting (at least at this point) for emergency or fast tracked air permits.

A Tony Pendola NC Small Business Environmental Assistance Program 3/17/2020

I have a call in to our local Ag pesticide people. But I was able to talk to an EPA Ombudsman in the Registration group. She assured me that hand sanitizer with alcohol as the active ingredient must be registered and that the process takes a long time. They regulate what is on the label and everything. An Emergency Exemption under 40 CFR § 152.30 which she called a Section 18 takes time also. It sounds as if the only option for distilleries is to give it away and not make claims about its efficacy at killing microbes.

A Mark Stoddard IN Compliance & Technical Assistance Program 3/17/2020

I assume if increasing consumer demand would cause a manufacturer to add equipment or to make modifications to increase throughput, there may be air permitting considerations – a permit where none was required or a modification of an existing permit.

I am thankful to Annette for sending the attached e-mail message which includes a link to the attached document which includes the EPA registration numbers per product. You may also note on some containers of such products the EPA registration numbers (there may be more than one).

Q Jasmine Blyden VI Small Business Environmental Assistance Program 3/11/2020

Does anyone have any brochures that I can make changes to for Boat Maintenance & Repair? In addition, can the 6H Rule be used for spraying of boats and small parts on a dry dock?

A Tony Pendola NC Small Business Environmental Assistance Program 3/11/2020

The 6H rule specifically exempts from applicability: “(6) Surface coating or paint stripping that is specifically covered by another area source NESHAP.” The Boat Manufacturing NESHAP is a MAJOR source NESHAP, so I’m not sure how to interpret that. That may warrant an Applicability determination request. The safest bet is to make sure they don’t spray Cd, Cr, Pb, Mn, or Ni.

A Annette Fulgenzi IL Small Business Environmental Assistance Program 3/11/2020

I recall there was some discussion about barges when the rule was either drafted or new. Seems like Dan Nickey might have had some direction about this?

Q Jasmine Blyden VI Small Business Environmental Assistance Program 3/11/2020

Can someone recommend some EPA Certified Paint Trainer Certification online training?

A Tony Pendola NC Small Business Environmental Assistance Program 3/11/2020

First, let me reiterate that close to zero autobody shops need to be subject to 6H because the major paint manufacturers reformulated their automotive paints to get rid of the target HAPs. Everyone should [evaluate that by visiting here](#). Training is always a good idea though. A very good resource for training is whoever makes the paint they are spraying, so you might want to check with them first. [We list all the major paint companies on our website](#).

I couldn’t find any slideshow presentations online to point you to. When I typed 6H and NESHAP into the www.I-CAR.com search box I got nothing, so they might not be offering this anymore. The [newest online training is from Becca](#). It is free but they will market to the shops.

[Online 6H from Iowa](#)

[Military CARC Coating Certification or send to Iowa](#)

[Virtual Paint](#) (Iowa sold to them)

A Sara Johnson NH Small Business Environmental Assistance Program 3/11/2020

In NH, we found most shops are NOT eligible for exemption because the paint on their shelves (older paint that can still be used and not determined to be waste) contain chromium. The NEW shops that have recently purchased NEW coatings in the last 5 years, are still subject to the 6H rule, but may petition for exemption, because those new coatings do not contain those metals. All auto body shops are subject to the rule. Either follow the requirements or petition for exemption. They need that letter from EPA to be in compliance.

A Nancy Larson KS Small Business Environmental Assistance Program 3/11/2020

In Kansas, about 95% of our auto body shops are eligible for the petition for exemption. With regard to 6H and 6X area source rule painter training, as you know, the painters need classroom and hands-on training and here are some options –

The classroom training –

- o Can be satisfied by going through the rule and several states have archived webinars including Kansas. So this could be considered online training as long as it is documented by the industry.
- o On our [National SBEAP auto body page](#) we do have compliance resources in various languages and an example curriculum for this training.
- o [EPA also provides this painter certification online training](#) – targeted for 6X, but works for 6H too.

The hands-on portion of the training cannot be online (obviously) so industry can be trained by –

- o Vocational colleges that teach auto body repair or aerospace painting sometimes have on-site training, in Kansas we have access to a virtual paint system like Iowa has.
- o Another painter that was recently certified may also be an option for recertification based on what I read.
- o Paint equipment vendors that sell spray guns and booths – our Kansas vendors have trainers.
- o Paint vendors like what Tony mentioned – just noticed Sherwin Williams offers training too.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 2/26/2020

I was wondering how many of our SBEAPs are currently working with Hemp/MJ producers (indoor growing operations) and/or CBD producers? How many of the states are currently issuing air permits (whether minor NSR or operating permits) for these types of operations? How many are discussing the potential need to establish air permitting for these facilities?

A Lynelle Ladd Small Business Environmental Assistance Program 2/28/2020

I want to thank everyone who took the time to respond about the hemp and CBD oil questions. I got a lot of great feedback. I have a presentation next week and I just wanted to get some idea of who is doing what and what is being discovered concerning air emissions and permitting these facilities (I know there are other issues, water/waste etc. but I was only concerned about AQ right now.)

Please see attached. I compiled this spreadsheet and although not perfect, it could be a start of some data gathering if we want to use it for that. I know there will be a presentation at National Training on this topic, and if this would be useful for starting on compiling resources that are available currently from states that are very active in evaluating air emissions and permitting needs for this industry type (KY, CO, MI, TN and others) so we could have a CBD/Hemp resource page, I think that would be great.

If you are a state that didn't respond to my previous request for information and would like to fill in something for your state, OR if I got something wrong/incorrect about your state, please let me know, so I can edit this.

Q Renee Bashel WI Small Business Environmental Coordinator 2/5/2020

Our WI Air Program has state regulatory thresholds for hazardous air pollutants. Some of the higher throughput gas stations are over our threshold for benzene emissions, specifically a few Costco gas stations. However, Costco is proposing that emissions factors established years ago for benzene from vehicle refueling are not up to date with the gasoline blends used and with the California level controls used in their gas pumps. The Air Program is still working on what this means, whether or not the benzene

emissions are that high and if that also means those stations trigger air permits or should be meeting other air rules like emissions inventory reporting as a stationary source.

We are planning to use our next gasoline dispensing calendar as a platform to update our gas stations on whatever decision our air program makes. Before our air program makes a decision, it would help us to gain an understanding of how other states are regulating gas stations for air permitting/emissions requirements.

My questions for fellow SBEAPs:

1. Has anyone found more recent data and/or calculations on benzene and/or VOC emissions from vehicle refueling through your own local permitting programs?
2. Do you require gas stations to report their gas volume sold or VOC emissions through your state emissions inventory reporting? Or are they simply lumped into an area source emissions inventory estimate of some sort?
3. Does your state issue air permits to gas stations below Title V thresholds? Maybe you have a permit by rule or general air permit?

A Christine Hoefler CO Small Business Assistance Program 2/5/2020

Colorado had changed their Benzene emission factor several years ago because the EPA determine the emissions were decreased based upon the new on board controls on newer vehicles. I am not sure if the emission factor Costco is referring to is even newer? Colorado does permit our gas stations in our Ozone Nonattainment area, outside of that area we just require gas stations to report their emissions if they are over a certain threshold. We also have [provided a calculator](#) for that industry to determine if they require a permit, this includes Benzene emissions.

A Jennifer Lipkin NV Small Business Environmental Assistance Program 2/6/2020

Clark County, Nevada is marginal non-attainment for ozone (8/3/2018) and uses the attached calculation sheet and assumptions. Our minor source permitting threshold for VOC is 5 tpy. Phase I and Phase II controls are not considered in the permit applicability calculation so most gas stations are permitted. If you pump more than 693,000 gallons per year, you need a minor source permit. We do not have a minor source program for HAP sources. We do not have any Title V gas stations. Minor and major sources submit annual emissions inventories using gallons pumped.

A Tony Pendola NC Small Business Environmental Assistance Program 2/13/2020

I found this in our synthetic minor permit for Costco. We are switching to a permit-by-rule. "The limit to remain under major source thresholds is calculated to be 43,000,000 gallons of gasoline per year using emission factors from AP-42 5.2 with 85% of the vehicle fleet having ORVR that is 90% efficient."

Q Nancy Larson KS Small Business Environmental Assistance Program 2/11/2020

Our state regulatory agency already gives out P2 awards to industry at their annual conference. This year is the 25th anniversary of their conference the "Kansas Environmental Conference," and so they are looking at a special award category based on a legacy of compliance, sustainability and leadership in the industry. If your state has done something similar that includes environmental compliance, not just specific source reduction projects, can you please share the application or website?

Q Leena Divakar KS Small Business Environmental Assistance Program 1/27/2020

We here in Kansas are working on a project developing a Harmful Algal Bloom (HAB)/ blue green algae (BGA) toolkit for private waterbody owners. We would like to know if any states are working on this issue.

A John Podolinsky MT Small Business Environmental Assistance Program 1/27/2020

Contacts in MT include:

Dr. Trevor Selch at MT FWP, ph 406-444-5686

Hannah Riedl at MT DEQ, ph. 406-444-0549

Here's [guidance from Montana](#). Page 12 contains additional contacts.

A Kenya Stump KY Department for Energy Development & Independence 1/27/2020
From Kentucky

A Ed Boito PA Department of Environmental Protection 1/27/2020

We are at the beginning stages of developing a working group here in Pennsylvania that includes the PA DEP, Department of Ag, Department of Health, and our Fish and Boat Commission. In speaking with our staff, they are borrowing heavily from Ohio and Oregon's initial steps, as they seem to be out ahead of this issue.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/27/2020

USGS Harmful Algal Blooms which includes a US map – [anecdotal reports on the occurrence](#)
Indiana

[Blue-Green Algae web page](#) (Indiana Department of Environmental Management)

[Harmful Algal Blooms web page](#) (Indiana State Department of Health)

[Blue Green Algae Blooms web page](#) (Indiana Department of Natural Resources)

[Cylindrospermopsis](#) (Blue-green algae in Indiana waters)

[Salamonie River](#), as an example: Sampling data from the U.S. Army Corps of Engineers and IDEM starting in 2009 found high levels of nutrients (causing harmful algal blooms in the Salamonie Reservoir) as well as other pollutants in the watershed.

[Major Types of Nonpoint Source Pollutants, including Nutrients](#)

Q Jayme Csonka KY Small Business Environmental Compliance Assistance Coordinator 1/10/2020

The Louisville Metro Air Pollution Control District is currently convening a stakeholder group to evaluate multiple air pollutants that contribute to ozone formation. I am facilitating the Area Source Committee, which is made of various local stakeholders, such as industry sector representatives, regulators, environmental nonprofits, environmental consultants, community-based environmental advocates, and more. Some of the common area source industry sectors around Louisville Metro include spray coating facilities, dry cleaning, wood working, and printing/graphic arts. Since we're evaluating a complex pollutant (ozone), we are evaluating methods to reduce multiple pollutants, particularly NOx and VOCs. Feel free to check out the [Multipollutant Stakeholder Group's webpage](#):

We are looking for examples of other pollutant reduction initiatives that have occurred around the country—whether voluntary or regulatory, and would like to know how these were implemented. If you have any examples or copies of outreach literature to share, please do!

Additionally, have you done any work with generating **literature for property owners related to asbestos identification and abatement**? I've been asked to develop a brochure to assist our inspectors with asbestos-related issues. Once again, if you have any examples or copies of outreach literature to share, please do!

A Nancy Larson KS Small Business Environmental Assistance Program 1/10/2020

This sounds like a great project for SBEAPs. In Kansas we did a few projects to target VOCs and NOx. The projects were a few years back during the Obama administration and included –

- AERO – air emissions reduction opportunities – targeted at painting and coating sectors, specifically aerospace and auto body. We partnered with our local Technical College and covered some of the area source rule (6H and 6X), but had a focus on how to change the material, process or technology to reduce emissions at the source. We were able to tag on painter training via use of a virtual paint booth (that was fun). We did the project over a two year period in Wichita, KS.
- We also did diesel emission reduction workshops and projects for fleets and over the road haulers (that was a hard audience to reach).
- We assisted our state with outreach on open burning via firehouses and townships. Our state also did a lot of work with our agriculture and ranching communities on agricultural burning.

A Hillarie Sales OR Small Business Environmental Assistance Program 1/10/2020

I'll have to do some digging for pollutant reduction initiatives, however – I have a lot of info about asbestos.

Oregon used to have fact sheets for homeowners regarding asbestos abatement, but it was decided by our leadership team that the information should be removed from our website. It is very risky for homeowners to do the work themselves, so the Oregon DEQ's recommendation is that all homeowners go through a licensed abatement contractor to perform any asbestos related work. Here is our [page for homeowners who have questions about asbestos](#).

We provide lists of [materials that may contain asbestos](#) in English and Spanish, resources to find a [licensed abatement contractor](#), as well as info on how to have an [asbestos survey](#) completed and [where to send samples for analysis](#). Homeowners who do their own work are still subject to [disposal regulations](#) (and a few others) here in OR, so we offer some guidance on that, too.

Additionally – one that we plan to link to on our page – Washington's SWCAA has awesome [guidance for the removal of specific types of ACM and even a safe sampling guide](#).

Q Belinda Breidenbach ID Small Business Development Center 12/12/2019

Do any of your SBEAP programs track any measure of client behavior change from assistance provided? This question came up as part of an Education Subcommittee discussion. I'm interested to hear from the whole SBEAP community.

Q Donovan Grimwood TN Small Business Environmental Assistance Program 11/22/2019

Is there a more recent and update version to the AWMA emission factors for plastics or polymer processing – updated factors and expanded list of polymers? If yes, would you share that excel spreadsheet or document?

Q Donovan Grimwood TN Small Business Environmental Assistance Program 11/12/2019

Does anyone know if any regulation will apply to a facility that cuts (by torch) plated (chrome or copper) iron to feed it to a shredder for recycling?

Q Arthur Fink KS Small Business Environmental Assistance Program 10/31/2019

The SBEAP in Kansas is working on an update of the Kansas Environmental Handbook (a state-approved guide for local sanitarians on the design of domestic potable water systems and septic systems/lagoons). In order to ensure we are incorporating the latest information and practices, I would like to ask other SBEAP offices if they are aware of a similar document(s) or information in their state and if so, directions for hunting it down on the web.

Q Allison Crowther KS Small Business Environmental Assistance Program 10/29/2019

We are creating a new guidance document/short manual for operators of underground storage tanks in Kansas, and I'm organizing information and looking for ideas on what needs to be included, helpful tips, points to emphasize, etc. Does anyone have a similar document they could share? We are also looking for pictures for both the guidance document and our calendar-- examples of good practices and well maintained systems, violations or indicators of potential problems (e.g. cracks in piping or shiny spots), or just pictures of USTs in general (the [current calendar](#) features multiple pictures of installations/repairs/removals).

A Donovan Grimwood TN Small Business Environmental Assistance Program 10/29/2019

It sounds like you need to look at the TN UST Owner Compliance Manual. This was a manual developed a while back but updated periodically that covers all areas of UST Owner Compliance. From that, we also developed Tank School which is direct classroom training, and Tank Helper which is an online training tool and Operator certification. Here is a [link to the UST Owner Compliance Manual and other educational material webpage](#). This also includes the Compliance Tool Box which is a more specific group of items on specific topics.

A Ed Boito PA Department of Environmental Protection 10/29/2019

Please see [our storage tank webpage](#). We have numerous documents here that may be what you are looking for.

Q John Podolinsky MT Small Business Environmental Assistance Program 8/7/2019

I'm on a petroleum tank stakeholders workgroup studying efficiency opportunities in having petroleum releases cleaned up and related costs reimbursed by our petroleum fund expeditiously. One of our workgroup's tasks is to assist in the education of UST facility owners/operators across Montana on upcoming regulations. We intend to distribute information and host a UST regulatory roadshow in regional cities. I'm curious if any of you are assisting with UST regulatory compliance. If so, I'd like to learn more about your approach.

A James Ostrowski MI Small business Environmental Assistance Program 8/8/2019

Your question is timely. In Michigan we just opened up registration for [a Michigan Petroleum Storage Tank Conference Series](#). The day-long event will be held at three locations this Sept-Oct. The conference is designed to bring together owners and operators of petroleum storage tanks systems, (and other interested persons) with State inspectors and Program Specialists to receive relevant training and to meet one-on-one with staff from various state agencies that regulate the tanks. We're partnering with the Michigan Petroleum Association, Midwest Independent Retailers Association, and the American Petroleum Institute of Michigan. It's the first time we've held an event like this so we're excited to see how it turns out. If you have questions feel free to contact Les Smith SMITHL9@michigan.gov 517-284-6902 with questions about the event or UST outreach here in Michigan.

Q Tony Pendola NC Small Business Environmental Assistance Program 8/2/2019

I need some help. Which way does your state calculate PTE for a small boiler firing ultra low sulfur diesel (ULSD) with 15ppm S by substituting the 500ppm S distillate/No.2 number REJECT=500 or by using 15 ppm APPROVE=15? Please vote. [See Page 17 of this link](#) for specific instructions on how EPA tells SBs to calculate PTE to determine if a small boiler is major or minor. To require a synthetic minor (conditional major/FESOP) permit, I believe the PTE calculated as instructed would have to exceed 100 TPY. Therefore, I believe EPA is telling us to issue a minor permit noting the fuel is ultra-low sulfur diesel. Compliance is easily demonstrated by examining the fuel bills.

I believe most states are making these poor boilers get synthetic minor permits despite EPA's instructions and in spite of the extremely low actual emissions. I'm trying to modify the way PTE is calculated even if

I have to do it one case at a time. Before I try to take my viewpoint to the next level, I'd like to get some feedback.

Here is the SO2 PTE calculation for a 99 mmBTU/hr ULSD boiler:

$99 \text{ mmBTU/hr} \times 8,760 \text{ hr/yr} / 130,000 \text{ BTU/gal} \times (142 \times 0.015) \text{ lb SO}_2 / 1,000 \text{ gal} / 2,000 \text{ lb/ton} = 7.10 \text{ ton SO}_2/\text{yr}$

A Harry Ching NY Small Business Environmental Assistance Program 8/2/2019

We use the 15ppm.

A Renee Bashel WI Small Business Environmental Coordinator 8/2/2019

WI uses 15ppm.

A Christine Paulson IA Small Business Air Quality Liason 8/5/2019

Here is some information from one of our air permitting engineers. If you have any follow-up questions, please let me know.

If the source is restricted or wants to be restricted to burning ultra low sulfur fuel through a permit or federal rule then the SO2 PTE is based on firing ultra low sulfur fuel (15 ppm). If not, the PTE is based on sulfur content restriction in a permit/federal rule or the Iowa Administrative Code.

Q Dianne Wilkins OK Department of Environmental Quality 7/30/2019

Via Rachel Massey, TURI: I got a query from Caroline Cox (cc'd here) from the Center for Environmental Health. She is working with businesses that are looking for ways to reduce their use of styrene in production processes using fiberglass resins and other composite plastic products, making products such as truck canopies, manhole covers, and refrigerators. She'd like to talk with someone who has expertise in this area. I'm hoping someone on this list may have a suggestion?

A Donovan Grimwood TN Small Business Environmental Assistance Program 7/31/2019

Aside from straight reduction of styrene, methods I am aware to reduce emissions are changes to the mold (closed vs. open), changes to application method (better controls on the spray), and possibly the best one is vapor suppressed resins. As for reducing styrene itself, potentially more filler so there isn't as much styrene used to create the overall product. Here are some links to potential experts that may be able to provide better and more specific answers:

[American Composites Manufacturers Association](#)

[Society of Plastics Engineers](#)

[Links to other groups on the National SBEAP Industry Sectors page](#)

[Institute for Advanced Composites Manufacturing Innovation](#). Potentially here, Bob Norris

(norrisejr@ornl.gov) may be a good contact. Or Dr. Jan Anders Mansson

(jmansson@purdue.edu). She is listed as the expert in Efficient Mass Production of Composites, Increased Functionality of Composites, and Cost-Effective High-Volume Composite Manufacturing. I have utilized the IACMI previously in developing emission factors for carbon fiber composite recycling via pyrolysis and they provided some excellent and recent research that allowed me to calculate emissions for the facility and enable them to move forward in the permitting process (they ended up being an insignificant source in TN at the initial scale of the project they were developing).

A Emily Ohde MN Pollution Control Agency Resource Management & Assistance Division 8/1/2019

[This might prove helpful.](#)

Q Phyllis Copeland SC Department of Health & Environmental Control 7/12/2019

Has anyone calculated HAP emissions from evaporative losses of gasoline?

A Renee Bashel WI Small Business Environmental Coordinator 7/12/2019

Do you need it from storage tank losses or during filling of a tank/vehicle?

R Phyllis Copeland SC Department of Health & Environmental Control 7/12/2019

Both.

A Christine Paulson IA Small Business Air Quality Liaison 7/12/2019

Unless you are looking for something more current or specific, there should be HAP emissions estimates from evaporative loss included in EPA's e background documents from both the Gasoline Bulk Plant NESHAP for area sources (Subpart BBBB) and the Gasoline Dispensing NESHAP for area sources (Subpart CCCCCC). These were both finalized in 2011 (although the emission factors/calculations may go back to 2005 or 2006 when both NESHAP were initially proposed).

A Daniel Chuquin TN Small Business Environmental Assistance Program 7/15/2019

I have a spreadsheet that accounts for breathing losses of tanks but not just evaporative losses that I used for (small) bulk gasoline distribution centers. My spreadsheet is a modified version of [Potential to Emit Calculator for Gasoline Dispensing Facilities - EPA](#). The source for breathing losses is:² 40 CFR 63, Subpart CCCCCC requires that new or modified gasoline dispensing facilities with a monthly throughput greater than 100,000 gallons per month install pressure/vacuum (PV) vent valves on the storage tank vent pipes. This model uses a 75 percent efficiency for PV valves in reducing breathing losses.

Q Jasmine Blyden VI Small Business Environmental Assistance Program 7/9/2019

Does any state has information on compliance, regulations, fact sheets, brochures pertaining to auto polishing and car wash small businesses? I need some guidance in doing a compliance onsite assessment inspection to a small business facility.

A Beatriz Milne CT Office of Planning and Program Development 7/9/2019

In CT, we have the following great resources:

https://www.ct.gov/deep/lib/deep/compliance_assistance/manuals_guidelines/autorecyclingguide.pdf

https://www.ct.gov/deep/cwp/view.asp?a=2708&q=323974&deepNav_GID=1763

A Sara Johnson NH Small Business Environmental Assistance Program 7/15/2019

PFAS are in their waxing and other products. Be prepared for that mess. Septic vs sewer concentration limits. We have a case against a car wash on septic that polluted drinking water. WWTP can't treat it. It is also in the sludges from the floor drains. Can't incinerate (goes back into the air), can't put in solid waste (leaks into ground water), not a haz waste. We are trying to find alternative products that are PFAS free, but PFAS is not required to be on SDS or EDS. And usually proprietary info. If you find anything, please share. We (P2 and SBTAP) are proposing an outreach program in NH soon. [We have new water quality rules proposed.](#)

A John Podolinsky MT Small Business Environmental Assistance Program 7/15/2019

Another item might involve wastewater discharge. Some of our car/truck washes in MT use septic systems for disposal, so groundwater can be an issue with a variety of pollutants. I'd check with your wastewater folks for concerns.

Q Jennifer Lipkin NV Small Business Environmental Assistance Program 7/2/2019

Does anyone have any experience with calculating PM₁₀ and/or PM_{2.5} emissions for lint at laundry facilities? I know there have been discussions regarding HAPs for shop towel laundering, but our permitting division is requiring sources to determine PM₁₀ and PM_{2.5} emissions for laundering uniforms, sheets and towels. I contacted two trade associations and they said they haven't heard of agencies requiring this calculation.

A Christine Paulson IA Small Business Air Quality Liaison 7/9/2019

Iowa DNR has some limited particulate test data on natural gas fired commercial laundry dryers. The total PM factor for uncontrolled dryer (no lint trap) is 1.014 lbs PM/ton of material and PM₁₀ factor (Controlled/ lint trap) is 0.0497 lbs PM₁₀/ton of material. This is based on two sampling events.

Q Daniel Chuquin TN Small Business Environmental Assistance Program 6/21/2019

Anyone out there familiar with permitting an engine testing facility? Just wanted to run my calculations by you. This facility tests GM 2.5 Liter, 4-cylinder, load-free (just an engine) engines for 15 minutes each.

A Mark Stoddard IN Compliance & Technical Assistance Program 6/25/2019

<https://permits.air.idem.in.gov/36402f.pdf> is the Title V Operating Permit Renewal issued February 19, 2016 – 754 pages. Pages 708 to 740 are emission calculations including engine test benches (testing modes) and engine testing. I do not know if test results are specific to a manufacturer, size of engine and/or engine family. I do not believe there is a GM facility located in Indiana that produces a vehicle that relies on a four cylinder engine.

Q Phyllis Copeland SC Department of Health & Environmental Control 6/18/2019

Has anyone done work with underground mining, in particular gold mining.

A Jim Plosay AK Manager of Air Permits Program 6/18/2019

Alaska is a haven for hard rock underground (or above ground) mining. What specific questions do you have?

Q Phyllis Copeland SC Department of Health & Environmental Control 6/4/2019

[Biocremation - Alkaline hydrolysis] Anybody permitted this process? If so, what pollutants are generated?

A Lynelle Ladd KS Small Business Environmental Assistance Program 6/4/2019

It is being done in some "human crematoriums" in Kansas, but under our rules, processes for human remains are not regulated under the Kansas Ambient Air Quality regulations, so we wouldn't see any permitting applications for these. I have not heard of this being used for pet remain disposal yet. Pet "crematoriums" are regulated under the Kansas air regulations. If they are using a fossil fuel to heat the vessel, there would be combustion emissions. Otherwise, I am assuming you would get the same gases that come from decomposition or composting. The KOH used is the other variable. Have you contacted the manufacturer of the vessel and asked if they have any emissions data? What happens to the water and KOH used to dissolve the body?

R Laura McKelvey 6/4/2019

Would you need to worry about mercury from fillings?

A Alison Luedtke 6/4/2019

Those are typically removed before traditional cremation, so I imagine the same goes for biocremation.

A Harry Ching NY Small Business Environmental Assistance Program 6/4/2019

Since this process is done in a pressure vessel, it should not need an Air Permit due to no emissions. KOH is not volatile. Another benefit is that mercury is not emitted but stays in the resulting remains.

A Christine Hoefler CO Small Business Assistance Program 6/4/2019

Years ago I tried to help someone with this getting a permit for using this process, but they never went all the way through with getting the permit. I didn't see any air pollutants and apparently the waste product can be disposed of through the sanitary sewer. This process is used in Europe, but I have not seen anyone in the state of Colorado use this process.

Q Mark Stoddard IN Compliance & Technical Assistance Program 5/20/2019

Are protein based or derived chemicals considered an alternative to the use of PFAS? I assume these protein based alternatives are also surfactants (hydrophilic and hydrophobic ends of the molecule)?



A Kevin Davis IN Department of Environmental Management 5/20/2019

Yes. They've been around for a while for "B" fires (petroleum fires). Their problem was they had a much shorter shelf life since the protein would breakdown over-time.

Shelf life. Shelf life is the length of time over which foam concentrates remain stable without significant changes in performance characteristics. AFFF, high expansion, and Class A foam concentrates – if stored in accordance with recommended guidelines – have a normal shelf life of 20-25 years. All other foam agents – those which are not totally synthetic – have a normal shelf life of 7-10 years.

Also, [they weren't quite as good in smothering quickly since they flow slower than AFFF](#).

Q Donovan Grimwood TN Small Business Environmental Assistance Program 4/25/2019

I'm working on assisting a company that makes the solvent/cement for gluing PVC pipes together. Has anyone worked with such a company before and have an emission calculation method developed for such a facility? Also, they have storage tanks for the four main materials used. Does anyone have a spreadsheet developed for calculating emissions from liquid chemical storage tanks? I know the AP-42 has a chapter on it, but I also find the equations there a bit hard to follow, especially when taking into account the multitude of factors. And also EPA discontinued their TANKS software which was used to calculate emissions from storage tanks.

A Jennifer Lipkin NV Small Business Environmental Assistance Program 4/25/2019

Clark County, NV currently accepts calculations using the TankESP program, but it is a product that must be purchased and there is an annual user fee.

Q Emily Ohde MN Pollution Control Agency Resource Management & Assistance Division 4/18/2019

Does anyone have experience with or examples of assessing **particulate emissions from an evaporator**? The scenario: A small business cleaning metal with an iron phosphate cleaner prior to painting. The wastewater stream from the cleaning process will enter a holding tank and feed to an evaporator. We are trying to estimate particulate emissions from the evaporator stack. Examples of similar evaporators include: <https://www.samsco.com/products-water-evaporator-installation.html> and <https://www.pfonline.com/suppliers/product/2815>

At this time we have been able to identify some literature that expresses potential correlations between evaporators and

1. Cooling towers
 - a. <https://www.trinityconsultants.com/news/federal/emission-factor-development-for-mechanical-evaporators>
 - b. See attached article
2. Electroplating (using gassing rates)
 - a. Industrial Ventilation 25th Edition and Modern Pollution Control Technology (attached)

If you have any examples of conducting the emissions assessment or examples of calculation methods approved by your state – that would be very helpful!

A Lynelle Ladd KS Small Business Environmental Assistance Program 4/18/2019

[Found this on EPA website, Trinity Consultants](#). Don't know if the power point information will help. It is recent. But not same process as you linked. Or here it looks like [Puget Sound Clean Air Agency as methodology](#) and you might be able to speak to permit writer there and get the calculation methodology.

A Christine Paulson IA Small Business Air Quality Liaison 4/18/2019

I received the following information and attachment from one of our engineers: On the wastewater evaporators - I also don't have anything recent for them. I don't think that we have seen a lot of applications for these recently. I looked back on what I had done in the past (right or wrong, it's what I did). It looks like that I estimated a 5% loss of any solid material as particulate matter emissions, with the majority of the solids remaining in the evaporator as sludge. I also assumed 100% loss of any VOC or HAP that was in the wastewater. For gas fired evaporators, products of combustion from the burner. Some are electric heated, so no products of combustion from them. Attached are a couple of calculations from these old projects.

A Jim Cain MA Office of Technical Assistance 4/22/2019

I would think that emissions would be dependent on configuration of the evaporator and any demisting designs and especially on how it is operated. Probably batch operation with variable concentrations. How hard is it boiling or is it a lower temperature humidification unit? Distillation (& condensation) units although more costly should have the lowest levels of emissions. Hope they aren't doing an open air spray pond (especially in Minnesota in the winter).

Q Lee Ann Briggs PA University of Pittsburgh Small Business Development Center 3/28/2019

I'm currently working with a specialty metals processor. They heat treat, cut, grind, mill, etc. a variety of specialty metals. The PA DEP is requesting emission estimates for metallic HAPs. The problem I'm having is that the facility keeps no records of how much metal is received and/or processed. It's basically a job shop. They receive a slab of metal with specs to cut, grind, heat, etc. They process the metal and ship it back to the customer. Can anyone offer any suggestions/recommendations on how to calculate metallic HAPs from this type of processor?

A Tony Pendola NC Small Business Environmental Assistance Program 3/28/2019

You could probably use what information they do collect (at a minimum, they have dollars charged or hours spent) and design a parametric factor to estimate the pounds of metal processed.

A Mark Stoddard IN Compliance & Technical Assistance Program 3/29/2019

They probably keep purchase records for the alloys they receive and sales records or at least shipment records for what a customer receives or what the customer expects to receive. If not, you will need to estimate a quantity or rate. It will help to determine what alloys they reduce in size, whether they segregate any metal from the fabrication process for recycling and its estimated quantity or rate, quantity or rate of product sold and the remainder would theoretically be what is emitted into the air. You will need to evaluate the largest purchase of a single alloy and obtain an SDS.

As an example they purchase ten tons of stainless steel in a calendar year (knowing the specific alloy will give a better number for a certain metal in weight percent), they sell 9 ½ tons, scrap is about 3/8 tons and 1/8 ton is emitted. Using the attached SDS as an example for stainless steel which may contain up to thirty percent by weight of a certain stainless steel alloy, the amount emitted would be (1/8 ton) x 0.3 = 0.038 tons per calendar.

It would help to use a spreadsheet and seek information on the largest purchases (incoming) and largest sales (outgoing). Again, if this data is not available, you will need to make the best guess. It may be arduous initially as the coming may purchase from several suppliers. They all should have available safety data sheets. As you work down in rates purchased and sold, emissions will asymptotically decrease.

I am sorry for the convoluted explanation. I recall helping a metal fabricator assess whether they were subject to TRI reporting. It was a one time experience only.

Q Jayme Csonka KY Small Business Environmental Compliance Assistance Coordinator 3/26/2019

I am currently working with a small start-up business that processes industrial hemp, kenaf, and flax for products such as fabric, rope, animal bedding, insulation, pressboard, plastic compounds, hempcrete, and more. The facility doesn't manufacture all those products onsite. They mostly just process bales to separate stalks and fibers before sending them to manufacturing facilities.

The processing entails sending a bale through a piece of equipment that chops the material to a specified size before moving into another piece of equipment that uses a wheel with pins to separate fibers from the stalk by pulling on the material. Those processes happen within an enclosure. Afterwards, the fibers are sent to a baler, and the stalks are sent to a separate line where they are milled and bagged. The facility has a series of baghouses to control dust. There are no emissions other than PM for the entire process.

We anticipate that the overall PTE for the facility to be fairly low, but are uncertain of specific emission factors for PM. Has anyone worked with a similar type of facility? Or perhaps a facility that uses a semi-analogous material? I'd love to hear more about your approach to permitting one of these facilities.

A La Ronda Bowen CA Air Resources Board 03/26/2019

In CA bag houses require an air permit but I am unsure how PTE is calculated. I am out of the office for a few days and will connect you with the South Coast Air Quality Management District Small business office when I return.

A Tony Pendola NC Small Business Environmental Assistance Program 3/26/2019

One way is to assume an outlet loading rate of 0.01 grains per dscf at an efficiency of 99.5%. (AP-40, Air Pollution Engineering Manual, Air and Waste Management Association, 1991, Page 115. "Well designed and operated baghouses have been shown to be capable of reducing overall particulate emissions to less than 0.01 gr/dscf".) Alternatively, use [Category 6 Grain Handling from AP-42 Appendix B-2](#)

A Renee Bashel WI Small Business Environmental Coordinator 3/27/2019

Related to Tony's suggestion, their baghouse manufacturer may supply a guarantee on the outlet grain loading. Newer units may be more efficient than referenced in the Air Pollution Engineering Manual.

Q Mark Stoddard IN Compliance & Technical Assistance Program 3/5/2019

The State of Indiana is contemplating the development of a computer application that will help to remind a regulated entity to prepare and submit an annual notification or report. It seems that many regulated entities in the State of Indiana forget to submit an annual notification even if it is very simple – name, address, status verification and compliance verification. One could simply send an annual reminder of all compliance dates starting January 1 hoping that the message does not get discarded or lost in the vast quantity of messages all vying for attention. Is there a simple application that allows one to enter a date, name of report that will send periodic reminders, perhaps starting at 4 weeks prior to a due date and will submit to at least two people of a regulated entity assuming one of the two might be unavailable?

It is my understanding that Kansas has developed and made use of applications for regulated entities in their state. Perhaps another state would have such an application. Has it proven useful? Have you had to tweak it a few times? Have the goals changed from a simple messaging/reminder to something more complex such as the completion of the notification or report?

A Renee Bashel WI Small Business Environmental Coordinator 3/5/2019

Wisconsin uses their data entry system to send reminder notifications via email for multiple annual reporting deadlines.

R Mark Stoddard IN Compliance & Technical Assistance Program 3/5/2019

I assume the data entry system is part of an online reporting mechanism that I had made an inquiry about perhaps late last year.

A Sara Johnson NH Small Business Environmental Assistance Program 3/5/2019

NH has an Air Database that includes contact information. We send an email to all stationary sources to send in their annual report. I think it is an oracle database. We used to send brightly colored postcards, but we find a quick email does the trick. We also have a secretary make calls after the deadline if anyone is late with the report or hasn't contacted us that the report would be late.

Q Mark Stoddard IN Compliance & Technical Assistance Program 2/22/2019

I received a call from someone seeking approval to use produced [brine] water from an oil & gas well for deicing roads and other surfaces. I was informed the water and hydrocarbons are readily separated at the well. This company would filter the water further to remove other contaminants aside from trace minerals, Calcium Chloride, Magnesium Chloride and Potassium Chloride. Additives to lower the melting point would be used in northern latitudes. Aside from the states that allow this practice with or without permission (permit), what other states have been approached seeking guidance or permission to use such a [by]product/beneficial reuse?

Based on a [Virginia Department of Transportation FAQ for road anti-icing, pretreatment and de-icing](#), NaCl, MgCl, CaCl, Calcium Magnesium Acetate and Potassium Acetate (aqueous based ionic solutions) are used to prevent and remove snow and ice from roadways. What would a company need to do to sell/use produced brine water as a byproduct/beneficial use on roadways in your state for purposes of preventing and removing snow and ice from roadways? It appears that Connecticut has a process to remove such materials under beneficial reuse. Perhaps others states have such a process?

Produced Water Treatment and Beneficial Use Information Center – About Produced Water State Policies on Use of Hydraulic Fracturing Waste as a Road Deicer

Connecticut neither bans the use of hydraulic fracturing waste to deice state highways nor specifically regulates its use for this purpose. However, the Department of Transportation (DOT) cannot use any waste product to deice highways until the Department of Energy and Environmental Protection (DEEP) evaluates its environmental impact and authorizes its [beneficial use](#) (CGS §22a-209f)

... the natural gas-rich states of New York, Ohio, and Pennsylvania use hydraulic fracturing waste to deice roads. Five of these states (New York, Massachusetts, Ohio, Pennsylvania, and Vermont) either regulate or ban the use of wastewater as a deicer.

New York, Ohio, and Pennsylvania permit the use of production brine from fracking operations to be applied to roads as a deicer based on its chemical composition, application rate, and other criteria.

Q Donovan Grimwood TN Small Business Environmental Assistance Program 2/19/2019

TN is looking at developing an outreach project directed towards agriculturally based small businesses. This could be anywhere from farms to grain elevators and sawmills. I would appreciate if you could share any materials that your state may have developed concerning agricultural small businesses. Also, if you know of the most common areas of agricultural small businesses that you deal with, those industry sectors would be appreciated. For example, I know that KY has a nice one-page sheet on [agricultural questions](#). So items like that.

A Mark Stoddard IN Compliance & Technical Assistance Program 2/20/2019

Indiana Department of Environmental Management (IDEM) does post some fact sheets and web pages to convey information to the agricultural community. There is an Agricultural Liaison which is appointed by the Governor and/or the Commissioner of IDEM.

What Others Are Doing About Nonpoint Source Pollution -

<https://www.in.gov/idem/nps/2446.htm>

Indiana State Department of Agriculture (ISDA)

The Indiana State Department of Agriculture, Division of Soil Conservation (ISDA-DSC) focuses on enhancing the stewardship of natural resources on agricultural land, and strengthening the

capacity of local Soil and Water Conservation Districts to ensure that constituents have a local resource for conservation assistance. In addition, ISDA-DSC provides conservation technical assistance to implement federal, state, and local conservation projects.

[BMPs: Agricultural](#)

[Grain Elevator Fugitive Dust Prevention – Best Practices](#)

[Good Management Practices for Woodworking Manufacturing Facilities](#)

[Confined feeding operations](#)

A Lisa Hunt WI Small Business Environmental Assistance Program 2/20/2019

Wisconsin SBEAP has an Agriculture and Agribusiness sector

page: <https://dnr.wi.gov/topic/SmallBusiness/Resources/Agribusiness.html>, but it's something that we'll probably try to expand on in the future.

A Nancy Larson KS Small Business Environmental Assistance Program

The National Compliance Assistance Centers do have an Ag page. In Kansas we have [7D resources and grain elevator NSPS resources](#). We are just beginning to work with the livestock industries and recently published a [livestock compliance calendars](#).

A Christine Paulson IA Small Business Air Quality Liaison

Iowa has some agriculturally-related resources for air quality regulations that are similar to what others have shared. Iowa DNR and University of Northern Iowa's (UNI's) air quality resources include:

- DNR - Prepared Feeds NESHAP: <http://www.iowadnr.gov/neshap> (click on Prepared Feeds)
- UNI - [Prepared Feeds Manufacturing](#)
- UNI - [GrainPTE](#)
- DNR - Grain Elevators
- [Grain Elevator Best Management Practices](#)
- [Grain Elevator Air Quality Permitting Frequently Asked Questions](#)

Q John Podolinsky MT Small Business Environmental Assistance Program 2/11/2019

I'm looking for examples of language that could be inserted into enforcement-related correspondence offering compliance assistance and/or advocacy via SBEAPs/SBOs. For instance, the language would be inserted in the last paragraph of a violation letter highlighting the availability of SBEAP/SBO compliance assistance and/or advocacy.

A Donovan Grimwood TN Small Business Environmental Assistance Program 2/11/2019

Attached is a letter that we worked with our APC on for when an inspector discovers an unpermitted engine that might fall under our Permit-by-Rule option. Similar language was added to permit renewal letters that are sent out to all facilities when it is time for their permit to be renewed. It gives a brief synopsis of what SBEAP can do and how to contact us.

A Mark Stoddard IN Compliance & Technical Assistance Program 2/11/2019

As an example from an inspection summary/violation [two page] letter issued August 20, 2018 by an air inspector from our northern regional office added the following language towards the end of the letter. You will also note in the letter that the same paragraph contains an admonition to submit an air permit application for an unpermitted gas fired boiler discovered during the visit. I do not know how frequently this language is incorporated into [air] violation letters.

“ . . . IDEM's Compliance and Technical Assistance Program (CTAP) offers free, confidential compliance assistance to regulated entities, including small businesses. CTAP can be reached at

(317) 232-8172 or visit CTAP's website at www.idem.IN.gov/ctap. The complete air permit application should be submitted to:

Q Nancy Larson KS Small Business Environmental Assistance Program 1/31/2019

In Kansas, we negotiate new SBEAP projects each year with our state regulatory agency. Our program is multimedia and I am wondering if your state SBEAP is doing a new outreach or has identified a compliance gap that impacts a certain sector of small businesses?

A Sara Johnson NH Small Business Environmental Assistance Program 1/31/2019

I may be working with drinking water program to provide outreach to car washes on PFAS/PFOA. Depends if we get a grant.

Q John Podolinsky MT Small Business Environmental Assistance Program 1/25/2019

The Montana Legislature is currently debating a plastic bag deposit bill. Some legislators are curious about the potential adverse impacts the legislation might have on small businesses implementing the requirements. If your state has plastic bag requirements I would like to hear from you about business owners' experiences with implementing (accounting, staffing,...) plastic bag deposits.

A Sara Johnson NH Small Business Environmental Assistance Program 1/28/2019

[We have a proposed bill in the works now to ban single use bags.](#) We requested a part time person to help with outreach and enforcement. This will probably kill the bill. However, there is already talk to support a bill that allows towns to have their own bag ban bill, something like San Francisco and other towns.

Q Susan Tripp VA Office of Small Business Assistance 1/17/2019

We have been approached by a Veterinary clinic about whether a safety cabinet for chemo drugs which has a fan pulling from the cabinet and vents to the outdoors will require a permit. Has anyone else ever encountered a request like this? Apparently anyone storing these drugs is supposed to keep them in a safety cabinet like this. That means that any vet clinic, hospital or doctors office that mixes these drugs must have one of these cabinets.

The clinic has supplied us with a list of the drugs, but they are researching if any of them contain any toxic chemicals. I am assuming that VOC is the primary pollutant.

Doxorubicin HCL 2mg/ml

Vincristine 1mg/ml

Mitoxantrone 2mg/ml

Vinblastine 1mg/ml

Carboplatin 10mg/ml

L-Asparaginase 10,000 iu

A Donovan Grimwood TN Small Business Environmental Assistance Program 1/17/2019

I would think the quantity that a veterinary clinic has in storage would not reach a threshold where even if all of it happened to evaporate, that it would only be considered an insignificant source of air emissions. Though that is dependent on the threshold of what is considered insignificant in your state. The drugs would also be sealed which would reduce the overall emissions. It sounds like the venting is to prevent build-up of hazardous fumes or cross contamination in an enclosed environment. None of them appear at initial glance to be radioactive in nature, which might create the need to look at another layer of whether it is an insignificant source of air emissions or not. In TN, the threshold is 0.1 mREM/year of emissions for example.

A Lynelle Ladd KS Small Business Environmental Assistance Program 1/17/2019

My perspective is solely relating to the air program, not hazardous waste. Normally, the chemical quantities are so small they would not trigger an emission limit in my state requiring a

permit. Additionally, how the chemicals are used (e.g. treatment of patients, research and development) could also impact whether they would be regulated here under our air program. As used, to medicate animals or people, we would not consider that to be an emission source.

Basically in Kansas, emissions have to be coming from a stationary source or emission unit. In general, we look at the process using chemicals and emitting chemicals, not storage of chemicals. Furthermore, if they are properly closed, there should be no vapors or loss. The “venting” in a chemical safety cabinet is to prevent build-up of fumes that could ignite, etc. if something isn’t properly closed or if there is a leak, breakage in packaging or spill.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/18/2019

The latter two components [in this list](#) is in powder form or a solid. Personal hygiene, safety, wearing adequate personal protective equipment and management of any unused material would probably be paramount. If any of the compounds are DEA regulated, that might pose another area with regards to security and disposal. Perhaps the cabinet should be locked and expiration dates tracked to avoid inadvertent disposal of unused compound.

Q Nancy Larson KS Small Business Environmental Assistance Program 12/17/2018

Some NESHAPs require annual compliance reporting, due by Jan. 31st each year. Below is a list of the common ones I have identified, do you know of others?

- 6X – Metal fabrication
- 6W - Plating and polishing
- 7D – Prepared feeds manufacturing
- 4Z – RICE engines (semi-annual, due July 31st and Jan. 31st)

A Mark Stoddard IN Compliance & Technical Assistance Program 12/18/2018

6W – A report must be submitted only if a deviation occurred during the year, otherwise it is a record prepared no later than January 31 and maintained should an inspector wish to view it. A deviation, in the case of a chromate conversion coating is that applicable management practices, as practicable, have not been implemented which means that if you can rationally justify why you could not implement a management practice (any one of twelve) then it is not practicable, it is not a deviation. Management practices, for the most part, are what many platers implement without being acutely aware.

A Mark Stoddard IN Compliance & Technical Assistance Program 12/18/2018

40 CFR 63.11509(c)

How many variations of the same thing? Only four?! Why not Compliance of certification annual.

1. Annual certification of compliance
2. Annual compliance report
3. Annual compliance certification
4. Annual certification

Yes, I am probably facetious and sarcastic.

A Christine Paulson IA Small Business Air Quality Liaison 12/18/2018

I believe the Part 63 General Conditions require **all** NESHAP affected facilities, including area sources, to submit at least an annual compliance report **if** the facilities had **deviations or noncompliance** during the reporting period. Major source NESHAP facilities are also required to certify compliance annually for Title V purposes, even if the facility has no deviations/non-compliance (facility was in compliance during the previous calendar year.) NESHAP 6X (Metal Fabrication and Finishing) is the only area source NESHAP that I know of that requires an

Annual Compliance and Certification report even if the facility was in compliance during the reporting period. If folks know of others area source NESHAPs with this same requirement, please chime in.

Q Mark Stoddard IN Compliance & Technical Assistance Program 12/5/2018

Has anyone worked with a company who employs a spray application of a Zirconium Oxide as a type of conversion coating or pretreatment for a powder coating application to follow? It is my understanding that a dip process which generates a wastewater is potentially subject to 40 CFR 433 where they might need to treat the wastewater to meet the categorical standard prior to discharge to a sanitary sewer/POTW which would generally mean that a pretreatment permit would be required. Does the spray application of Zirconium Oxide change applicability? At this time, I am not certain as to the other ingredients for the spray on application.

A Dianne Wilkins OK Department of Environmental Quality 12/11/2018

This is the answer I received from our WQD permit engineers: Coating operations on any basis material are subject to 40 CFR Part 433 Metal Finishing Point Source Category. As conversion coating is specifically listed as one of the unit operations subject to the metal finishing ELGs (Development Document for ELGs for Metal Finishing, p. III-6), the spray application of zirconium oxide would not change the applicability of these ELGs.

Q Eric Florio NV Small Business Assistance Program 12/5/2018

I recently had someone contact me asking about using lime over caustic soda to neutralize wash down water in their scrubber unit. They etch nickel base alloys in a hydrochloric and hydrogen peroxide solution. The air from that room then goes through a scrubber and the wash down water is currently being neutralized with Caustic. I was wondering if anyone has had any experience with this and could answer a few questions for me. In terms of being more environmentally friendly and safer for workers, which one would be the better choice? What are some potential problems that they could run into?

A Mark Stoddard IN Compliance & Technical Assistance Program 12/5/2018

I would suggest that you gather data weighing the pros and cons of the different products and how they are used. I would suggest reviewing "[Acid Neutralization with Lime](#)," National Lime Association. Also, you will need to identify what quantity is needed to achieve a certain pH and how the material containing the hydroxide radical is received (solid or liquid), how it is prepared and delivered/fed into or combined to cause the desired reaction without generating excess carbonate and solids. Any of the higher pH products are potentially harmful and dangerous. Cost might be a driving factor unless the quantity to be neutralized is low or the price differences are small.

A Jim Cain MA Office of Technical Assistance 12/5/2018

One thing missing is the scale of the operation. The discussion below reflects my personal preferences. The mildest neutralizing agent would be sodium bicarbonate. Next would be a sodium carbonate solution (I would hate working with solids and dusts). Next are chemicals with lower solubilities: Magnesium hydroxide slurry has a good health rating compared to the others. Calcium hydroxide is more soluble (up to 2%) and more corrosive than magnesium hydroxide. I would think of it as somewhat better than the sodium hydroxide if you don't have to make the solution from the powder. If the sodium hydroxide is used at 10% or greater it has much more neutralizing capacity, but is more difficult to wash off of any exposed skin, etc. before damage occurs.

Q Belinda Breidenbach ID Small Business Development Center 12/4/2018

How has your state addressed metal fabrication for permitting and compliance? Are you looking at 6X applicable facilities only? Or taking a broader application of state regulations on the processes used in metal fab including; spray coating, blasting, grinding, and welding? Have you developed any special permits for the metal fab industry? flow charts? Have you done outreach? And what channels are you using?

We have determined there are metal fab operations across the state from urban to rural areas and the businesses cover a wide range in sizes. And 6X covers only a segment of metal fabrication operations. We are working on a plan for effective outreach to the industry to ensure compliance. I look forward to learning what your state is doing.

A Donovan Grimwood TN Small Business Environmental Assistance Program 12/5/2018

Here is the [TN SBEAP web page on 6X](#). When the rule came out, we attempted to identify based on NAICS which facilities were affected and sent direct letters to them informing them of the rule and the requirements. We included a sample Initial Notification developed from the EPA sample Initial Notification and included with the letter. This helped us identify which facilities were actually 6X and which weren't. We also developed some workshops and a presentation which is included on the website. As for flow charts, EPA had one that was used on our website. No special permits have been developed. We have not necessarily looked at the industry in a broader sense, but instead focus on which ever issue or question comes up based on client needs when they call for assistance. This rule is common amongst facilities and there continues to be fairly regular assistances relating to this rule as either new facilities are started or existing facilities that may or may not have responded initially are located by Air Pollution Control. There are a few, such as powder metallurgy facilities, that may appear to be subject to 6X, but in the end may not be. There is a three tier method of determination if a facility is 6X or not:

1. Does the facility have a NAICS that corresponds to 6X?
2. Does the facility use the target HAPs?
3. Does the facility have a process covered by 6X?

Powder metallurgy can often answer yes to the first two, but potentially no to the third as none of the processes covered by 6X are conducted at the facility. Beyond 6X applicability, many other metal fabrication facilities that we have encountered through assistances have been able to be determined to be insignificant sources of air pollution. We have worked with them on an individual basis with their calculations and the most common areas that come up are abrasive blasting and welding. Depending on the welding wire, they may or may not be subject to 6X and if they are not, the volume would determine if a permit is needed or not. Abrasive blasting will almost always require a permit depending on media and volume again, but 6X applicability would be based on the objects being abrasive blasted. I have worked with a few facilities that have a small intermittently used blaster that have been determined as insignificant.

A Mark Stoddard IN Compliance & Technical Assistance Program 12/5/2018

No

No & yes

Outreach – [Metal Fabrication and Finishing web page](#); attempted to identify [members in Indiana potentially subject to 6x](#). The list was small – 16. A list generated from SIC/NAICS codes was larger, about a hundred.

The definition of “primarily engaged” greatly reduces applicability of 6X. It is possible that an entity subject to 6X might only be subject to the welding provisions – tier 1, 2 or 3. In reviewing Indiana’s virtual file cabinet to identify air inspections which included a 6X review, there were eighteen inspections from 2016 to 2018. Violations were observed during two inspections and a determination was made that an entity was not primarily engaged as defined in 6X and thus not subject.

A Christine Hoefler CO Small Business Assistance Program 12/5/2018

Colorado did not adopt 6X, but we still did outreach for it. We combined our outreach with the 6H outreach mainly for surface coating issues. Colorado does have specific regulations pertaining to surface coating for metal surface coating facilities for VOC emissions not HAP emissions.

A Christine Paulson IA Small Business Air Quality Liaison 12/12/2018

In Iowa, the DNR and UNI-IWRC worked together to develop tools several years back when 6X was first promulgated. They are available at [IWRC 6X](#) and [IDNR 6X](#) (scroll down to Metal Fabrication and Finishing).

Q Nancy Larson KS Small Business Environmental Assistance Program 11/14/2018

At our R7 SBEAP meeting, Dan Nickey asked if any states were working on [Volkswagen settlement projects] as SBEAPs? None of the R7 SBEAP typically work on mobile sources, but we wondered if your state SBEAP is able to use the funding for non-mobile source related outreach?

A Phyllis Copeland SC Department of Health & Environmental Control 11/14/2018

[For SC, the settlement is being administered by the Department of Insurance.](#)

A Donovan Grimwood TN Small Business Environmental Assistance Program 11/14/2018

[In TN, the VW settlement is being managed through the TDEC Office of Energy Programs.](#) SBEAP is not involved at this time.

A Belinda Breidenbach ID Small Business Development Center 11/14/2018

YES! In Idaho the electric vehicle charging stations are be administered through the Governor's Office of Energy and Mineral Resources and the repower and replace is being administered through the Department of Environmental Quality. Both applications are now out and [on this website](#). As SBEAP I have been involved. I'm on the OEMR advisory committee. I have also traveled around the state targeting small businesses putting on an information session about the fast charging network and how to apply for funds. The diesel vehicle application just came out. And the deadline is January 31. I'm planning a state wide webinar in the first half of December to inform small businesses about the program. I have a Powerpoint if anyone needs it. You can remove the state specific and there is a lot of general VW settlement and EV information. Let me know.

A Jim Plosay AK Manager of Air Permits Program 11/14/2018

[In AK, the VW settlement is being managed by Alaska Energy Authority.](#) No settlement funding will be used by the State for outreach under SBEAP.

A Michelle Jacobs DE Small Business Ombudsman 11/14/2018

[In DE the VW settlement is being handled by the Division of Air Quality.](#) The SBEAP is not involved.

A Mark Stoddard IN Compliance & Technical Assistance Program 11/14/2018

[Indiana Volkswagen Mitigation Trust Program](#)

A Beatriz Milne CT Office of Planning and Program Development 11/15/2018

In CT, the VW settlement is being handled by the Air Bureau. For further information, you can visit [CT's Mitigation Program](#) page. Our [Mitigation Plan](#) is on that page and it outlines the eligible actions for funding under the VW program.

A Linda Piper LA Department of Environmental Quality 11/15/2018

In Louisiana, the Air Quality Division is handling the VW settlement projects.

A Lee Ann Briggs PA University of Pittsburgh Small Business Development Center 11/15/2018
In Pennsylvania, PA DEP Air Quality Division is handling the VW settlement.

A Belinda Fowler NE Department of Environmental Quality 11/15/2018

In Nebraska, the Assistance Division is handling the program and working closely with our Air Division. Contact is Randy Smith.

A Sara Johnson NH Small Business Environmental Assistance Program 11/15/2018

NH's Mobile Source Program is in charge of the projects. However, I have recommended my clients to apply for the DERA grants (clean diesel).

A Paul Harding UT Small Business Ombudsman 11/15/2018

DEQ's has been designated by the Governor to handle the VW Settlement in Utah and the Division of Air Quality is leading the effort.

A John Podolinsky MT Small Business Environmental Assistance Program 11/15/2018

In Montana our Energy Office of the Montana Department of Environmental Quality is leading our VW activities. Anticipated funds will be spent on mitigation actions that reduce mobile sources of NOx emissions including replacing diesel vehicles and charging stations. Feel free to contact Kyla Maki if you need more info at 406-444-6478 or email.

A Genevieve Salmonson HI Small Business Environmental Assistance Program 11/15/2018

The Department of Business and Economic Development's Energy Division received the settlement funds. They will provide a small portion to the Clear Air Branch to assist with the Diesel Reduction emission program where will assist small businesses on request.

A Jim Cain MA Office of Technical Assistance 11/20/2018

In Massachusetts the projects from the settlement money are being managed by the Department of Environmental Protection.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 11/16/2018

About 1.5 years ago, I asked if anyone had any emission calculators (i.e. excel spreadsheets) for determining emissions from electroless chromate conversion plating, and other plating operations (such as electroless Nickel, Zinc, or even other electroplating activities that could include any of the MHAPS listed in 6W.)

Tom Jablonski, MN, provided me with an excel calculator tool that I used to determine emissions for the purposes of PTE for permitting (not for compliance with 6W) an aerospace parts manufacturer that had operations. I already knew and understood that the chrome conversion activity at this facility was subject to 6W and that there are only work practices requirements, no emission limits in 6W. But I needed a method to determine what the emissions would be strictly for permitting purposes and to prove the operations were not increasing facility HAP emissions. The MN calculator provided that ability.

As I understand it, the MN calculator that Tom provided to me, has now been determined to have "problems" and is not being used. As a result, we asked our Kansas Air Pollution Control Regulatory agency permit staff if Kansas Air Permitting had a tool for this type of activity. They sent us an excel spreadsheet that has MN SBEAP references on it and the MN SBEAP phone number on it. I am not going to attach it here, but I will want to talk with MN SBEAP and see if this is a new tool MN SBEAP developed or something our Kansas agency staff have manipulated/modified from the tool Tom provided

me and that I would have submitted to KDHE at that time for the permitting review of the source I was working with at the time. MN SBEAP information would have been left on the calculation I submitted, for validation purposes that the methodology was being used in other states for permitting purposes. Beyond that, are any of the other states calculating emissions from these type of activities to determine PTE of HAPs or increases in HAPs if people install an electroless chromate conversion tank, etc.? If so, would you be able to share the methodology you have used to calculate such emissions from electroless plating/coating tanks, and electroplating of various MHAPs?

Q Nancy Larson KS Small Business Environmental Assistance Program 11/12/2018

6W - any states have calculator tools or guidance documents? Please share. Thanks!

A Christine Paulson IA Small Business Air Quality Liaison 11/12/2018

Iowa has some guidance documents for 6W that we developed as part of an internal NESHAP workgroup that included UNI. The tools are available on our website at DNR Air Toxics Tools (scroll down to the accordion headings and click on Plating and Polishing). These tools were put together several years ago now, and have not been updated other than phone numbers, mailing addresses, and website URLs. We probably need to look at refreshing these tools.

A Mark Stoddard IN Compliance & Technical Assistance Program 11/13/2018

Indiana created a web page, [Plating and Polishing Operations](#), which does make reference to an ongoing outreach project involving Region 5 states, EPA Region 5 and the NASF. However, the effort has stalled perhaps a couple of years due to a lack of cooperation on a course of action to take to address issues that EPA would not specify and NASF was adamant about not creating more records than what 6W requires. Demonstrating that one has implemented applicable management practices, as practicable, of which there are 12 without creating a record or procedure seems challenging. The 6W recordkeeping section is a minefield of redundancy.

R Nancy Larson KS Small Business Environmental Assistance Program 11/13/2018

Thank you Mark! Any chance you have a sample spreadsheet tool for calculating PTE for these processes?

A Donovan Grimwood TN Small Business Environmental Assistance Program 11/13/2018

TN has a webpage on the [Plating and Polishing rule](#). Of particular note on that page is our compliance checklist. A facility requested something like this and it was developed to help identify the different activities covered under 6W and what a facility needs to do in order to comply with the rule.

R Nancy Larson KS Small Business Environmental Assistance Program 11/13/2018

Nice site! Any chance you have a spreadsheet? We were using one from MN, but Troy said it has now been taken out of circulation.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 10/15/2018

Has anyone worked on a tire pyrolysis project (emission calculations)? If yes, what emission factors were used? Do you have a calculation methodology you can share?

Q Lynelle Ladd KS Small Business Environmental Assistance Program 10/12/2018

This week I attended a Region 7 Air Permitting, Compliance and Planning meeting at the EPA R7 offices in Lenexa. One of the topics brought up for discussion was a question about how to more accurately account for VOCs and HAPs in coating operations. We all probably know the very broad EPA definition of VOCs (hydrocarbon, photochemical reactivity, etc.) but determining that is not always an easy task.

Also, the EPA HAP list has some broad categories along with the more bright-line list of chemicals with CAS #s. One category is the polycyclic organic matter-POMs.

My questions today for SBEAPs are:

- ☐ Do any of your states maintain a reference list of VOCs (non-exempt) that is a go-to guide for permit writers and compliance staff? If no, is a default VOC determination made based on whether the chemical is a hydrocarbon, or how does staff determine if a chemical is truly a VOC (photochemical reactive versus not)? Is there other methodology used to make the determination?
- ☐ Do any of your states maintain a reference list of POM HAPs that is a go-to guide for these chemicals (and any others that are generic HAP listings (i.e. no CAS # associated with the chemical)? If no, what is the methodology used to determine if a chemical should be considered a HAP?
- ☐ Also, one state in our 4 state region indicated that they also consider many machining oils (even those based from plant oils) as VOCs, but offered no methodology for calculating the PTE. Does your state calculate emissions for metal machining using machining oils and what methods are used for that calculation?

R Renee Bashel WI Small Business Environmental Coordinator 10/12/2018

So did they have an issue with using the VOC content on an SDS or Consumer Product Data Sheet/Technical Data Sheet provided by the supplier of the coating?

A Jennifer Lipkin NV Small Business Environmental Assistance Program 10/12/2018

Clark County, NV DAQ accepts the information provided in the SDS for VOC and uses CAS# in SDS for HAPs.

A Mark Stoddard IN Compliance & Technical Assistance Program 10/15/2018

The use of “as supplied” and “as applied” safety data sheets complicates the process of calculating potential emissions of volatile organic compounds (VOC) as well as volatile and non-volatile hazardous air pollutants. Another complication is that the user may not understand the VOC content of the “as applied” material after they have mixed it. And another is the wording of safety data sheets and other documentation making reference to actual VOC and regulatory VOC which is quite confusing for the user.

I hope that David Darling, American Coatings Association can shed some light on some of the confusion and apparent information disparity.

Ionic bonds allow for disassociation typically in an aqueous solution. Covalent bonds as are typically with organic molecules are more resistant to change, but can degrade with sufficient temperature, but not under ambient conditions.

A Barb Goode KS Small Business Environmental Assistance Program 10/12/2018

The attached lists from Indiana were sent in July to the technical subcommittee...

The HAPs and non-VOCs list was created by a colleague a few years ago, maybe three or four. In terms on non-VOCs, there are two other lists which are more or less up to date. One of the two focuses on non-VOCs which may be typically used in degreasing operations.

R Renee Bashel WI Small Business Environmental Coordinator 10/12/2018

I didn't see POM's broken out in the Indiana list – someone let me know if I missed them.

AP42 for natural gas lists POMs...TABLE 1.4-3. EMISSION FACTORS FOR SPECIATED ORGANIC COMPOUNDS...all the compounds with a superscript "c" are POMs in the table. Not sure that it's a complete list of what would be defined as POM though.

A Mark Stoddard IN Compliance & Technical Assistance Program 10/15/2018

I overlooked the third bullet point below regarding machining oils which may be straight alkanes/alkenes or cyclic hydrocarbons. For straight chain alkanes, as the number of carbon atoms approaches infinity, volatility approached non-volatility (a solid even at relatively high temperatures). Typically, the machining oil will be contaminated even after repeated efforts to skim and/or filter. If you evaluate losses based on mass balance, used oil and/or an oil wastewater are generated in relatively significant quantities whereas any evaporative losses are relatively insignificant and the error is generally greater when attempting to add to many digits to the right of the decimal point. Soap is also an organic compound though we do not expect it to evaporate prior to the next time we reach for it.

Q Nancy Larson KS Small Business Environmental Assistance Program 10/8/2018

Have you ever run into [consultants attending a SBEAP site visit]? In my 18 plus years doing hundreds of site visits, I have not done one where the small business invited their consultant to attend. Mainly because most of our small businesses do not have or hire consultants. I felt like I was training the client and the consultant. It did not seem right, so I wondered how your state would or has handle this?

A Mark Stoddard IN Compliance & Technical Assistance Program 10/10/2018

Typically not. However, I have conducted a few site visits where a consultant did attend. In one instance, I met with another state owned entity that had a contract with a consultant in regards to their air permit. The consultant gathered information that I supplied based on the presence of several stationary emergency engines which were referenced in the air permit incorrectly. The consultant's job was to submit an application for these corrections to be made.

I find that consultants can be very specialized, very knowledgeable in one area, but ignorant in everything remaining. I worked with a safety consultant who was part of an insurance company who suggested to the company that they invite me to discuss general environmental compliance. The consultant participated to a limited extent.

I have visited body shops and on some occasions I have even suggested the body shop invite their paint supplier/representative to discuss the type of product applied and training requirements.

I participated in another site visit involving a company engaged in metal finishing who invited their consultant to participate in part of the visit via a conference line. I think the company seemed to feel better when both the consultant and I were saying the same thing. However, the company has had a difficult time retaining an onsite EHS, but not so with a paid consultant.

I conducted another site visit which involved the same consultant as referenced in the previous paragraph. However, the consultant was able to attend. The consultant was taking down information in order to prepare the necessary forms for a decision on air permitting. The company was involved in the manufacturing of custom made pole barns and also operated three 0.9 MMBtu/hour wood fired boilers.

A Dianne Wilkins OK Department of Environmental Quality 10/10/2018

I'll go along with Mark's comments. I've had numerous interactions with consultants in my years of P2 and assistance. I always try to stress to the customers that they are ultimately responsible for their facility's compliance with applicable rules and regulations. I address all communication to the facility (sharing is their choice). I've also had a couple consultants call asking questions and then learn that they charged the facility for the information/resources they obtained with no charge. That just didn't feel right.

Q Nancy Larson KS Small Business Environmental Assistance Program 9/21/2018

In Kansas, Green Earth dry cleaners are required to dispose of their residual green earth contaminated waste with a "special waste authorization." That means it gets hauled separately to the landfill and goes into an identified cell, similar to asbestos and medical service waste is regulated. What is the latest in your state? Any special disposal regulations for this dry cleaning solvent?

Q Jasmine Blyden VI Small Business Environmental Assistance Program 9/20/2018

I have a question for all state SBEAPs. I ran into a situation and was wondering what actions other states took on this issue or if this has happened to anyone. I was refused by a small business owner to enter his business to perform an onsite assessment visit.

A Christine Hoefler CO Small Business Assistance Program 9/21/2018

The Colorado SBAP is an assistance program, so from our stand point if a source does not want our assistance we do not force the issue. If we think there is a dangerous environmental issue, then we would refer them to our enforcement group.

Agreement from Genevieve Salmonson 9/21/2018

A Renee Bashel WI Small Business Environmental Coordinator 9/21/2018

We would only go to a business if we are invited to help them assess their requirements. If they change their mind when we show up, that's up to them. Only credentialed inspectors at WDNR have the statutory authority to force the business to let them in to conduct an inspection, and even then if they are refused after showing their credentials they need to bring an environmental warden along. I think they may even need to get a warrant if they're refused entry.

A Harry Ching NY Small Business Environmental Assistance Program 9/21/2017

Same for New York. While NY SBEAP is not regulatory, the state's Department of Environmental Conservation can get a warrant if they are refused.

A Nancy Herb PA Department of Environmental Protection 9/24/2018

Same for Pennsylvania. PA's SBEAP (for us, EMAP is the provider) is outsourced from the regulatory agency (PADEP Bureau of Air Quality). That way, EMAP is able to provide confidential assistance to the small businesses that they work with. EMAP provides summarized reports to PADEP BAQ, but nothing identifying individual companies. EMAP consultants would only conduct a site assessment at the invitation of the small business. All assistance is provided by mutual agreement and the extent of EMAP assistance is limited by the clients' directions. For example, if a client requests help with a permit application but does not want help with emission calculations, EMAP's assistance will only extend to the permit application.

A La Ronda Bowen CA Air Resources Board 9/24/2018

The CA Air Resources Board small business compliance assistance programs ((507) do not go to a business to conduct either an inspection or compliance assistance without the permission of the small business owner. Participation with the SBEAP is voluntary and confidential. Businesses are always subject to enforcement until they come into compliance. We inform the business of this situation.

A Nancy Larson KS Small Business Environmental Assistance Program 9/24/2018

KS SBEAP is the same way with a few exceptions. There are a few programs that our funding agency has asked us to do targeted on-site outreach. For these programs, we contact the facility contact (provided by the regulator), describe the assistance effort and schedule the visit. Most clients are glad to get the assistance.

A Mark Stoddard IN Compliance & Technical Assistance Program 9/21/2018

We emphasize that CTAP is a non-regulatory program that provides free, confidential compliance and technical assistance to regulated entities - <https://www.in.gov/idem/ctap/2328.htm>. Some of what we do to market ourselves is to conduct visits where we hope to spend about two minutes describing what we do typically providing a generic copy of what we do. For whatever reason, a business or other potential regulated entity may refuse assistance, but cannot do so for long with a compliance inspector. As I attempt to describe what we do, I indicate that we endeavor to teach, train, educate, etc. so that an entity that applies some or all of what they learn can do well during an inspection with perhaps only minor issues.

A Daniel Sowry OH Small Business Environmental Assistance Program 9/21/2018

Since we're voluntary, that's never happened. If it did, then the business apparently didn't want our free and confidential assistance.

A James Grassiano AL Small Business Environmental Assistance Program 9/24/2018

It's rare that we have that problem in Alabama. Most industrial facilities have some sort of permit through ADEM. And via the permit, they must provide access to ADEM inspectors...including the SBEAP person. If, however, it's a facility that does not have an air operating permit, or an NPDES permit, a RCRA permit, etc...and the facility does not provide access, they probably have the right to deny us initially. But we just might then arrange a SWAT team multi-media inspection through the State Attorney General office. J

Q Jasmine Blyden VI Small Business Environmental Assistance Program 9/20/2018

Has anyone visited small printing shops that has no hazardous waste just ink and toners? What are the rules and regulations that govern this industry? This is the only thing I found on Epa.gov

40 CFR 63 Subpart KK- National Emission Standards for the Printing and Publishing Industry Hazardous Air Pollutants.

A Harry Ching NY Small Business Environmental Assistance Program 9/21/2018

There are no EPA air regulations covering this industry. For New York State, they are exempt from air permitting and their VOC emissions are well below any thresholds for both permitting and VOC RACT.

A Nancy Larson KS Small Business Environmental Assistance Program 9/25/2018

The NESHAP you reference is sometime called the "Wide-web NESHAP" and is applicable for major sources only. To my knowledge, there are no "Area Source NESHAPs." In Kansas, our printers that trigger air permits are typically major for VOCs (from their solvents) and maybe HAPs, so they are large-scale printing operations. The industry has done a good job reducing emissions. We have found cost and haz material reduction opportunities for them through better management of their solvents. Depending on the type of printer your client is, flexographic, lithographic or rotogravure, you can find their trade association resources at <https://nationalsbeap.org/info/sectors#Printing>.

FYI - The Printers' National Compliance Assistance Center or PNEAC, is no longer funded for updates and so their old url takes you to a appears to be a commercial printing site.

A Mark Stoddard IN Compliance & Technical Assistance Program 9/21/2018

I searched [Indiana air permits online](#) using "graph" as a search term discovering 28 entities arbitrarily picking one to look at more closely, Sport Graphics. They operated under a federally enforceable state operating permit, but were able to downgrade to an air registration in 2012. [You can obtain a copy of their registration](#). They were apparently able to drop VOC emissions to less than 15 tons per year. 25 is the threshold for a minor permit. They use four HAPS none of which has a potential greater than 2.5 tons.

None of the NESHAP would apply as one would need to be major (greater than 10 tons per year for one HAP or 25 tons per year for two or more HAPs). The VOC regulations do not apply until potential emissions are much larger. Reviewing the appendix will show the technical support document which makes references to all the regulations that the air permit writer had to give consideration.

A Annette Fulgenzi IL Small Business Environmental Assistance Program 9/25/2018

In Illinois, if they use less than 5,000 gallons of coatings including solvents/thinners they are exempt from permitting, otherwise a non-major source would be permitted under Illinois' state rules.

Q Mark Stoddard IN Compliance & Technical Assistance Program 8/29/2018

I assume other states have a reporting mechanism possibly on an annual basis for a Title 5 or a permit which includes enforceable conditions to render Title 5 not applicable to certify its compliance as continuous or intermittent and how it was determined. If intermittent, identify the parts of the permit where deficient, exceptions and corrective actions taken.

Does any state make use on an online reporting tool – e.g., turbo tax like software program which requires data to be collected & assembled and to receive prompts to enter data receiving feedback as to missing information or prompting required elements to be completed allowing it to be filed/submitted electronically to that state before a prescribed deadline. If yes, I would like to learn more about the software that is used and how the process was developed. If no, perhaps a checklist or self-evaluation questionnaire was created to allow a regulated entity to know what data it needs to collect and how to submit it correctly.

A Renee Bashel WI Small Business Environmental Coordinator 8/29/2018

Wisconsin has a process that allows any permitted facility to submit annual and semi-annual compliance certifications electronically, but it is essentially a system that simply uploads PDFs with an electronic signature process when required. If you're interested, you can check out the instructions for the process here: <https://dnr.wi.gov/topic/AirPermits/ComplianceReports.html>.

Q Daniel Chuquin TN Small Business Environmental Assistance Program 8/7/2018

I have an asphalt plant client that is considering accepting excess baghouse dust/fines from other asphalt producers. Their concern is what to do with it once it becomes excess to them – the excess they can't recycle into their production. Any thoughts or experience with this? Know of another type of plant or industry that could take it and use it?

Q Angela Taylor IN Department of Environmental Management 8/3/2018

I am seeking input from other states about the **methodology that is used to calculate potential to emit from woodworking operations**. Additionally, if you have guidance on how sources can show

compliance with limits mathematically, that would also be helpful. Please send me any information, spreadsheets, issued permits, guidance or written out calculation methods that are used for permitting and compliance purposes in your states. I know this is kind of last minute, but if you could provide anything today, that would be AMAZINGLY helpful!

Q Arthur Fink KS Small Business Environmental Assistance Program 8/1/2018

We are about to begin a project auditing and assisting ready-mix concrete facilities. Specifically we are seeking resources regarding discharge of concrete truck barrel washout water. I have accessed [EPA's information](#) regarding this issue, but wanted to see if any states had resources to offer as well.

Q Nancy Larson KS Small Business Environmental Assistance Program 7/31/2018

We have been asked to work with this industry to educate them on the aspects of this new rule [Chrome NESHAP Housekeeping Issue]. We are familiar with the [EPA resources](#), but wondered if any other State SBEAPs have already created additional outreach resources they could share.

A Sara Johnson NH Small Business Environmental Assistance Program 7/31/2018

<https://www.des.nh.gov/organization/commissioner/p2au/pps/ppdpp/index.htm>

When I was in P2, we had an outreach project to dental offices, but that was 17 years ago. The best thing we did was to create a partnership with the NH Dental Society. Over 98% of NH dentists were members at that time. It was super easy to get the word out to them and we presented at many regional and annual workshops. We even did office presentations for staff (hygienist, clerical, assistance, and dentist). The office ppts were my favorite because they felt comfortable to ask lots of questions about the rules and about other environmental issues. You can take a look at the web page to see if anything works for you. We also “stole” most of the publications from Vermont, since they were ahead of us on the research and BMPs.

Q Arthur Fink KS Small Business Environmental Assistance Program 7/13/2018

Does anyone have any exceptional tools (in this case calendars and spreadsheets would be the best match but I'll take anything) in regards to livestock waste management? A bit of brief background – Kansas is developing a livestock waste compliance calendar with daily lagoon stage tracking and other facility checklists for smaller confined animal feeding operations (CAFOs) across the state and a nutrient management plan spreadsheet for the state's larger, non-swine CAFOs. Thank you for any suggestions!

A Melissa McGee-Collier MS Small Business Environmental Assistance Program 7/13/2018

This is what I found from Maryland. We are working on adapting it for MS.

Q Donovan Grimwood TN Small Business Environmental Assistance Program 7/9/2018

The State of TN is working on developing additional general permits and potentially charging a fee for them. Some businesses have shared with us their general permit experience in other states and given us the fee charged for a general permit in those states. As part of the process, I am trying to gather information on what other states charge for general permits. Some specific questions for those states with air general permits:

1. What does your state charge for a general permit if anything?
2. Does your state have different fees for different general permits?
3. TN Air Pollution Control receives the majority of its funding through fees. What percentage of funding does your state's air regulatory program receive through fees? Asking this in case a state's fees are able to be lower due to a higher percentage of general state funds being used by the program.

I've been trying to assist our regulatory program with their fee revisions while keeping the fees that may affect smaller businesses low while still reaching the revenue goal needed. This information will give us some ideas compared to other states concerning general permits.

Q Annette Fulgenzi IL Small Business Environmental Assistance Program 6/27/2018

Hello my technical friends! I'm wondering if anyone has an emission calculation for burnoff ovens that you could share? I haven't had much luck tracking it down myself and I know they are exempt in many states.

A Donovan Grimwood TN Small Business Environmental Assistance Program 6/28/2018

I've worked on a couple of burn off ovens that burned off occasional powder coating. In looking at the powder coating itself, there were no HAPs, so it was expected that no HAPs would be generated from the burn-off. As such, the calculations were done just using the natural gas emissions. I've attached the general spreadsheet and calculation description that I include to help explain how the numbers were arrived at.

A Nancy Larson KS Small Business Environmental Assistance Program 6/28/2018

Like TN, we would use our combustion (Boiler/furnace) PTE calculator found at <http://www.sbeap.org/aqrules/tools> with a list of our other calculators. We would look at the SDS to evaluate for potential HAPs and RCRA hazardous waste (metals) contained in the ash.

A Renee Bashel WI Small Business Environmental Coordinator 6/28/2018

It took me a little while to find this. Here is a permitted facility in WI, where the "preliminary determination" document (our title for the permit's technical support document) for #13-POY-145 references a number of paint burn-off ovens as insignificant or exempt units. https://dnr.wi.gov/cias/am/amexternal/AM_PermiTTracking2.aspx?id=3002299.

There is a description of a new one that was being installed under the permit on page 23 https://dnr.wi.gov/cias/am/amexternal/AM_DownloadObject.aspx?id=470247. The assumption was that if operated at 1000F or better, then only combustion byproducts are emitted.

Q Patrick Hoermann WA Small Business Environmental Assistance Program 6/20/2018

As I understand it, the NPDES requirements are changing this year. Could someone in the organization please explain to rest of us the differences in the new permits? NPDES technical advice is a part of what the King County program provides and it would help me better serve the community to have this information.

A Darryl Lum HI Department of Health, Clean Water Branch 7/2/2018

The Association of Clean Water Administrators (ACWA) has been working with the EPA Office of Wastewater Management as EPA was considering updates to the NPDES program. Representatives from the ACWA state technical workgroup and EPA were discussing the status of the proposed rule, options EPA was considering based on state feedback, state implementation challenges, and state recommendations associated with process and next steps. There was a series of conference calls with EPA, ACWA, and interested State NPDES programs. The last conference call that I listened to on the NPDES Updates Rule was sometime last year. I checked my emails and there was a status update call on the NPDES Updates Rule in May 2018. Unfortunately, we missed this call due to a meeting conflict.

I'm not really sure what EPA is planning. I assumed that everything was on hold as there was a lot of discussion in 2017, but almost no discussion in 2018. Also, our EPA, Region 9 liaison did

not tell us anything. Usually, when there is a new regulation or upcoming regulations, our liaison makes sure that we are up to speed and/or preparing.

Below is a link to the proposed EPA NPDES Updates Rule and some potential contacts:

- [Proposed NPDES Updates Rule website](#) (contains link to Federal Register notice)
- EPA Contact: Sharmin Syed, Water Permits Division, Office of Wastewater Management, Email (syed.sharmin@epa.gov), phone: 202-564-3052. I don't know Sharmin Syed, but this person spoke on behalf of EPA on the conference calls.
- ACWA Contact: Sean Rolland, Deputy Director, ACWA, Email (srolland@acwa-us.org), phone: 202-465-7179. If you contact Sean, please don't tell him that you got his contact information from Hawaii. I don't want him to know that Hawaii missed the May 2018 conference call □

Q Rosanne Sanchez NM Environment Department 6/11/2018

I am wondering if any of you have ever provided Method 9 Opacity testing for a small business/municipality who has an air curtain incinerator permit? If so, did you run into any problems doing this? Any feedback would be appreciated.

A Lynelle Ladd KS Small Business Environmental Assistance Program 6/11/2018

It's been years since I have, but it was always difficult for them to pass. It is the nature of the unit – open burning with a control device basically – not an incinerator, at all. The basic thing is that normally these things are worst when they are initially lit. Once they get going and burn hot, then they are pretty good. Wet materials, green materials, etc. are another problem.

Does the permit require that the performance test be conducted at the unit's maximum ton/hour rating (I am not just talking about any fuel for the burners, I mean the amount of material they can burn in an hour – whether that was manufacturer indicated or calculated for permitting purposes)? If it doesn't, then I'd suggest that they don't pack the pit or container full on the day of the performance initial or annual. But they need to make sure if they are permitted to add constant heat, fire with a burner, that they crank that to its max capacity – hopefully permitted for that.

Q Belinda Breidenbach ID Small Business Development Center 6/6/2018

I'm looking at starting or reinstating a monthly or bimonthly call for Region 10. I understand the region was more active years ago. And it's time to re-energize. Do any other regions have a monthly/bimonthly call? I'd like to know what SBEAP activities you are conducting in region or participating in. I'd appreciate your ideas and insights.

A Lisa Hunt WI Small Business Environmental Assistance Program 6/6/2018

Region 5 has a monthly call led by our Regional Rep. We have a regional liaison, so he joins our calls when he can. Sometimes other EPA Region 5 staff join to call too. Once a year, we get together at Region 5 headquarters in Chicago to meet with EPA reps and discuss what's going on in the region.

A Lynelle Ladd KS Small Business Environmental Assistance Program 6/6/2018

Region 7 has a SBEAP regional call in the Spring and a SBEAP meeting in the Fall at EPA Region 7 offices with EPA. If someone wanted a "special" call, being the R7 rep, I'd put that together. Otherwise, meeting twice a year has been preferred wish of the states in the region. It is difficult for some states to get permission to travel to R7, but our Fall R7 meeting, we try to get some training and EPA R7 updates that benefit our SBEAP's.

I am guessing many state agencies, like Kansas, have monthly permitting or compliance calls with EPA region personnel and maybe monthly or weekly calls with district office staff or inspectors not located in central office. Do any of the SBEAP personnel sit in on those calls? Since KS-SBEAP is not part of the regulatory agency, we do not have an opportunity to sit in on those calls.

A Donovan Grimwood TN Small Business Environmental Assistance Program 6/6/2018

Region IV has monthly calls the third Wednesday of the month at 1:30-2:30 pm CST. We've had these for well over a decade.

A Sara Johnson NH Small Business Environmental Assistance Program 6/6/2018

Region 1 used to have monthly calls until the EPA SBO retired.

A Elizabeth Sapio CO Small Business Ombudsman 6/6/2018

Since 2007, while I have been SBO, I do not recall ever having Region 8 meetings. In the past we have met at "Region" tables during annual training for discussions or planning. There was some interest in starting up a Region 8 conf call/discussion of our CAP members (UT, CO, WY, MT, ND, SD), but it hasn't happened yet or lately. There is a Region 8 pollution prevention conference call and some of the reps have dual roles P2/SBEAP. Sometimes MT, WY and UT have joined in on CO CAP meetings that we have held. Does anyone else in Region 8 have a different recollection?

A Lloyd Kirk OK Department of Environmental Quality 6/6/2018

Does anyone know how many of the regions are active? Maybe doodle poll. Once we have that information we can bring it up with our respective region and DC.

Q Genevieve Salmonson HI Small Business Environmental Assistance Program 5/16/2018

I would like to update our collection of data for our annual report. Presently, we are doing everything manually (log in calls, update emails to case, record outcome, etc.), and it is very outdated. I would like to know how other states are collecting their data with a special program for the report as number of cases, number of calls to case, results, etc.

A Melissa McGee-Collier MS Small Business Environmental Assistance Program 5/16/2018

Here in Mississippi we still capture much of information manually as well. However, for those calls that require an investigation, we use a tracking database that captures contact information, type of call, reason for call, and the results of the investigation. It also allows for us to attach documents and pictures.

A Nancy Larson KS Small Business Environmental Assistance Program 5/17/2018

In Kansas, we try to input every call, site visit and mass communication/outreach effort in a database created by our IT department to capture the metric we want it to report out. It is hard to find the time to input the data and I'd say we capture about 80% of our work, but is certainly makes data reporting easier and more consistent.

A Belinda Breidenbach ID Small Business Development Center 5/17/2018

In Idaho it's just me part time. I keep a running log of calls on a word document. Nothing fancy just a record. If I spend an hour or more with the client it is logged into a Small Business Development Center Database called Center IC.

A Donovan Grimwood TN Small Business Environmental Assistance Program 5/21/2018

In TN, we maintain a dry erase board that we tally calls and emails related to assistances on, which is then included in our weekly reports to our supervisor. The data from the weekly reports is tracked in an Excel workbook to track that activity. Information for assistance requests, workshops, meetings, and any special projects is entered into our Access database, though email and call number specifically associated with an assistance is not recorded. Emails are copied and pasted into the database so that information is captured directly. Other information is entered from notes taken during a call.

When doing the Annual Report, the Excel spreadsheet is used to determine numbers for actual activity. The Access database is used to determine the number of businesses assisted, the number of contacts at workshops and conferences. We can also determine the industry category of businesses and which media category the assistance fell into based on the information in the Access database.

Daniel is currently learning how to potentially make a new database that would be accessible online for our program and we plan to make it easier to capture the data we most need for the Annual Report and our own needs. Also, it should remove some of the issues that have been creeping into the database due to it originally having been created in Access 95 or 98 and simply ported over to new versions over the years. However, it should remain password protected so that only our program would have access to it and thus maintain confidentiality.

A Annette Fulgenzi, IL Small Business Environmental Assistance Program 5/21/2018

We have developed a client intake form similar to what Renee does in Wisconsin to capture our interactions and then we enter them into an excel spreadsheet by the end of the month. (I find it hard to enter them in when working with a client.) It isn't perfect and could probably use some more fine tuning. We then generate some pie charts showing monthly, quarterly and annual % of calls we receive on various topics and it one of the items we share regularly with our Compliance Advisory Panel.

A new thing I am trying to get my head around is using google analytics to tell us where our clients are going for information on our website as more and more folks want to self-serve themselves and it will become more critical to be able to show our value in that arena as well. Helpline calls may diminish but website usage has increased for the information for example. I had suggested this as an idea for our education subcommittee to assist us novice technology folks and even low tech programs with training regarding what kind of useful end user data and web usage we can access or mine using free tools like google analytics. For example I know that I had approximately 350 folks access information on Stage I/II Vapor Recovery/6C NESHAP last year. We do publications and put them online but is there a way to know how many people accessed or downloaded the publication for example?

A Ed Bakos NJ Small Business Assistance Program 5/22/2018

NJ DEP uses Access which allows us to input data, count and retrieve the number of activities, workshops, meetings, site visits, sectors and businesses types along with contact information. Access is our tool used to complete and submit our annual report.

A Belinda Fowler NE Department of Environmental Quality. 5/22/2018

As a new assistance coordinator in Nebraska, the question has prompted questions to our programs and field staff-so thank you for helping me along the learning curve. Currently, we log our compliance activities into a database system if specifically tied to a facility (with associated identification number). Other items such as calls, follow up, one stop meetings, emails, etc. are manually tracked by each division and collected toward year end for purposes of our annual

report. As a follow up question, is there a shared drive where SBEAP programs can share information (e.g. copies of past reports, accomplishments, awards, etc.?).

A Derek Bozzell KY Small Business Environmental Assistance Program 5/22/2018

In Kentucky, each of our staff keeps a hardcopy call log, but any contact with a client, meaning calls, emails, site visits, permit assistance, or meetings, is also entered into an Access database. In this database we record:

- open and completion dates of the assistance request;
- staff involved;
- information about the caller, including name, company, address, and county, if available;
- the nature of the request (a description along with the relevant air/waste/water program); and
- the assistance provided.

We also keep track of whether the client is a small business and if our assistance is “detailed”, which we consider to be anything that takes more than two hours to complete. A communication log containing copies of email text and summaries of phone calls is also kept for each client assistance request.

We can run reports on the database for just about any metric we record. Common reports we utilize include: client locations, number of small businesses assisted, number of total assistance requests, programs or topics clients request assistance with, and number of requests per staff member.

A Linda Piper LA Department of Environmental Quality 5/21/2018

Currently, Louisiana uses TEMPO as its data collection and management system. (TEMPO=Tools for Environmental Management and Protection Organizations) Phone calls, emails, faxes, site visits, letters, and permit assistances are entered into the system and reports are generated using various queries

5/23/2018

In response to your inquiry, here’s a great description for TEMPO (now Tempo360) from my colleague, Jason Hanchey, Business Analytics Specialist (DEQ’s TEMPO expert).

“Tempo360 (Advantage RM now) is our main backoffice application that tracks entities and actions that we regulate. We are working to get all of our business units included in this framework and I really couldn’t list them all, but I can tell you that it spans permit activities, enforcement, remediation, payments and receipts, and we’re working on emergency response. We are also working on including epermits to that list as we can afford to move different permit types in.”

A Jennifer Lipkin NV Small Business Environmental Assistance Program 5/21/2018

In Clark County, we have to submit a couple numbers monthly to the County Managers. All the contacts are manually entered by month into a spreadsheet by SBAP staff. The spreadsheet is only visible to the SBAP team. It contains parameters that supervisors/managers were interested in several years ago. It doesn’t directly correlate to the items in the national annual report, but a lot of the information transfers. You can see the Summary tab contains some useful information. We are looking to update the parameters within the next year or two but unfortunately, because of the way this spreadsheet was originally built, it is extremely labor-intensive to make any changes. Spreadsheet attached subject: Re Sbeap_main Annual report (18).msg

A Renee Bashel WI Small Business Environmental Coordinator 5/21/2018

I use this tracking sheet, printed 2-sided, in a binder next to my phone to capture each call as it comes in, because I still haven't transitioned to entering them directly into our Access database. Emails I sort into a folder to count periodically. All calls (from the sheet) and emails (saved in the folder) are eventually entered into the database. The database is also used to capture numbers of newsletters sent, along with other outreach projects, conferences or presentations, etc. We have some standard report templates set up in Access to compile all the counts for whatever time period we need (quarterly, annual, historical).

Sheet attached subject: Re Sbeap_main Annual report (19).msg

A Michelle Jacobs DE Small Business Ombudsman 5/21/2018

I'm still logging data manually here in Delaware. I've set up a basic spreadsheet to help track data but never seem to get data entered into it. That being said I'm enjoying reading how other states do their tracking as it is giving me some ideas, and it is reminding me to enter some data for some recent inquiries.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 5/11/2018

Are any of your states regulating small craft breweries under the air requirements of your state (permitting and/or compliance)? If yes, is there a capacity/production trigger that pulls small brewers in? Also, if yes, do any of the states have an expedited permit application process for small craft breweries, or specific permitting guidance written for these sources? Have any of the states had craft brewery initiatives that focused on environmental tech assistance?

A Jennifer Wittenburg IA Air Emissions Assistance Program 5/11/2018

Here in Iowa, we (the Iowa Waste Reduction Center at the University of Northern Iowa) started the Iowa Green Brewery Certification program. With this program, we provide training and assistance on compliance with applicable environmental regulations, but then we go one step further by conducting an "environmental audit" of the brewery and scoring their individual sustainability efforts. We developed a weighted scoring system (with the help of 16 breweries across the state) to give more points for more impactful practices. The final score then determines what level (if any) of certification the brewery achieves (Bronze, Silver, Gold and Platinum). Once the certification is awarded, we do a big publicity push for the brewery (newspaper, radio, tv) as well as put it out all over social media...so the brewery gets some great exposure out of the process. It's great for us too, because the breweries here in Iowa are very interactive with one another on social media, so when we are posting about what we are doing with a specific brewery, it puts us directly in front of most of the other breweries in the state.

In our opinion, going the route of using a certification to reward sustainable practices and then making it a tiered certification, has been the biggest driver for participating breweries to implement some or all of our recommendations. When we tell an owner that they are at Silver level, but only a few points away from Gold, they almost always will do what it takes to bump up that level.

Related specifically to air requirements the processes which we have been identified to need some sort of permit are mostly related to the grain handling including the grinding of grain. In Iowa we have been able to use a "small unit exemption" for these processes. Other air pollutant emitting processes are covered under exemptions in Iowa (i.e., small natural gas fired boilers).

[Check out our webpage](#) for more information, or if anyone has any further questions or is curious about how we are doing what we're doing in Iowa, please don't hesitate to reach out to the project lead Joe Bolick at mjbolick@uni.edu or 319-273-6577.

A John Podolinsky MT Small Business Environmental Assistance Program 5/11/2018

My program is assisting breweries with energy and water use, as well as teaching them how to be more sustainable. We only have a dozen breweries in our Montana Brewery Sustainability project, so it's a small effort, although we've pitched it to all 70+ breweries in the State (as well as wineries, distilleries, and cideries).

Since I'm a one person show I've linked up with a few other entities in Montana in our project including the Montana State University P2 program, the MSU Montana Manufacturing Extension Center, a sustainability-teaching business called UnCommon Sense, the National Center for Appropriate Technology, and one of Montana's leading sustainable brewery, Draught Works Brewery. We've formed a loose knit collaboration called the Montana Sustainability Committee. Attached is our brochure.

Interestingly, we're finding challenges with getting the dozen breweries to act on our energy and water use recommendations, i.e. installing submeters, LED lighting, electronically controlled motors, etc. Our breweries are really busy making great beer and that's their priority. Needless to say, I would imagine if any one of them are cited for environmental non-compliance they'll come running for assistance!

Recently I've been pulled into assisting breweries with effluent and spent grains disposal. More and more wastewater treatment plants are pushing pretreatment and breweries are on the hit list, particularly by older POTWs. [Colorado's brewery project](#) (Kaitlin Urso, whom we heard from last year) and the [national brewers association](#) are gold mines for brewery wastewater information.

A Kaitlin Urso CO Department of Public Health and Environment 5/11/2018

Colorado had a large outreach project to the craft brewing industry last year. Here is the website: <https://www.colorado.gov/pacific/cdphe/sustainablebrewing>

For air emissions I created an excel air emissions tool based on AP-42 (an some assumptions our engineers helped out with). We didn't publicly post the calculator online because the brewery will also have additional air emissions from their process boiler and we didn't want them to think the calculator was all inclusive.

 **AP Brewery-Emissions-Calculator 8.xlsm**

We also wrote sort of a "white paper" on brewery air emissions.

 **Brewery Air Emission Best Practices.doc**

Craft breweries actually have pretty low VOC emissions. The smallest brewery we have permitted in Colorado is New Belgium which produces about 100,000 barrels a year. It is our largest craft brewery by far. Some of the craft breweries do have boilers large enough that they exceed our reporting threshold for NOx emissions.

We don't have any special forms for craft brewers or tailored permitting guidance. We did however produce a P2 fact-sheet for breweries.

 **Breweries Branded FactSheet (1).pdf**

Also here is a summary of our 2017 brewery outreach:

 **Brewers Report Working Final.docx**

I also have lots of presentations from local breweries about successful sustainability projects I can share if you are interested.

A Harry Ching NY Small Business Environmental Assistance Program 5/14/2018

Good afternoon Lynelle, currently NYS regulates all except for on-site consumption/retail sale, but an exemption is in the works to exempt the small ones.

Q Annette Fulgenzi IL Small Business Environmental Assistance Program 4/26/2018

Does anyone have a formula for calculating emissions from storage piles and roadways for PM at aggregate facilities that you could share with me?

A Jenifer Dixon Michigan DEQ 4/30/2018

We use this internally if the facility does not have better information. I am not sure if it will help you, but it may be a starting point.

Q Nancy Larson KS Small Business Environmental Assistance Program 3/20/2018

Our Kansas SBEAP is being asked to do a technical assistance outreach for this industry [ready-mix concrete]. One of the tasks is to oversee the seepage testing of facility lagoons. If your program has experience with this, how did you handle it and how time consuming was it?

Q Annette Fulgenzi IL Small Business Environmental Assistance Program 3/12/2018

I had the following questions from a client regarding the housekeeping provisions in the Chrome NESHAP. Are you aware of any information regarding this issue?

“Could you please provide additional guidance on the housekeeping requirement for separating buffing, grinding or polishing operations that are located in the same room? If these operations are NOT dry and only conducted using cutting fluids, does the separation requirement still apply? California clarified that it does not apply if cutting fluids are used but I could not find any such clarification for the federal Chrome NESHAP requirements.”

I would appreciate any insight you might be able to provide, I emailed the two contacts for the NESHAP at USEPA as well.

R Mark Stoddard IN Compliance & Technical Assistance Program 3/13/2018

I am interested to learn what you find. I hope it is not too different from what information I have received (attached documents).

Q Donovan Grimwood TN Small Business Environmental Assistance Program 3/7/2018

The State of TN is working on Permit-by-Rule for emergency generators and 6H auto body shops. Some of the tools we are planning on are calculators to help determine if permit-by-rule would work for a particular emergency engine, guidelines on what constitutes a pollution control device for an emergency generator, and similar. Some guidance has already been developed and posted to our web site for generators and additional guidance is planned for the auto body group. Though as Tony has pointed out, the majority of facilities can easily avoid 6H. Because the facilities that might have emergency generators is so varied, what are some successes in outreach to this group that you have had?

Q Renee Bashel WI Small Business Environmental Coordinator 3/7/2018

Has anyone worked with a company complying with 6X where the paint booth/spray area was not 4 walls/curtains? Any scenarios, for parts less than 15 feet, where this has been allowed?

(i) Spray booths or spray rooms must have a full roof, at least two complete walls, and one or two complete side curtains or other barrier material so that all four sides are covered. The spray booths or spray rooms must be ventilated so that air is drawn into the booth and leaves only through the filter. The roof may contain narrow slots for connecting fabricated products to overhead cranes, and/or for cords or cables.

A Harry Ching NY Small Business Environmental Assistance Program 3/8/2018

Hi Renee, the definition EPA uses for spraybooths does not appear (in my opinion) to require a company to purchase or construct a “spraybooth”, hence, as long as they not spraypainting outside in the open and they have proper filters they would appear to meet the definition. Note that the definition of spraybooth does not say anything about have 2, or 3 or 4 walls plus roof and/or side curtains (I’m generalizing to cover 6H and 6X) BUT nowhere does the definition say that a spraybooth must be inside a building, hence the building is a spraybooth. Anyway that’s my take.

A Lynelle Ladd KS Small Business Environmental Assistance Program 3/8/2018

I would agree with Harry on this. Here in Kansas, many sources do not have a paint booth that is a manufacturer designed unit but have installed what we lovingly call “shop-built” paint-booths that are designed by the owner/operator. Some do not have walls that surround the activity and may even have filtration in the floor, because of the type of parts painted. Others are done in a room without any filtration but are just considered to be “enclosed.” Our air pollution control agency does not require the installation of a paint booth that meets certain criteria, unless there is some complaint coming in about paint mists traveling off property and damaging other property (like cars parked in a neighboring parking lot – which has happened, but it was actually coming from the paint booth stack! It can be really windy in Kansas some days. □)

Also, the way Kansas calculates PTE for painting and coating, there is no “control efficiency” applied to the PTE based on a paint booth or paint booth filter. The only factor for any “control efficiency” is related to particulate matter and the type of spray gun used. [However, powder coating would allow for calculation of filtration and control and even recycling of the powder coating for re-application.]

All that being said, there are OSHA requirements for painting operations that have to do with safety and combustible/explosive atmosphere and highly combustible volatiles in close proximity to electrical apparatuses. So even where EPA doesn’t appear to require a source to install a “proper” paint booth, OSHA could come in and find fault with the set-up and require a more “controlled” painting environment.

R Renee Bashel WI Small Business Environmental Coordinator 3/8/2018

Thank you both. It has been a few years since I worked with that rule, so I forgot about the concept that the building could qualify as the spray “booth” or spray area...even though it uses that term in the rule language.

Q Donovan Grimwood TN Small Business Environmental Assistance Program 3/5/2018

I have a company that is looking at putting in a forced air boiler for drying of lumber. Previously, they had used a boiler to heat water and circulate the water in a radiator in order to provide the heat to dry the lumber. They will be using a wood fired boiler (taking advantage of waste wood generated on site) in either case. Would the forced air boiler have less emissions than the other type of boiler or are they equivalent? Would the forced air be more efficient and use less fuel than a standard boiler? They are looking to use a top loading system where they can just dump in a bunch of wood and light it off in either case.

A Harry Ching NY Small Business Environmental Assistance Program 3/6/2018

Heat transfer from water-to-air as compared to air-to-air is pretty close. Therefore I would concentrate on the design of the wood burner/boiler for efficiency. As far as emissions goes, again it's the design of the wood burner/boiler not how the energy is transferred into the kiln. Less emissions are generated by high efficiency units because you are burning/converting the carbon and VOCs into energy and mostly emitting CO₂ and water. Some of the new wood gasification units are very efficient.

A John Yntema, GA Department of Natural Resources 3/6/2018

Is the moisture content of the wood fuel to be the same for the boiler as for the air-to-air system? Are both burning green sawdust? At least in Georgia, the current norm for sawmills (at least for softwood mills) is to use green sawdust as the fuel. This is the case for new boilers as well as for direct air-to-air systems. Sawmills usually have both dry sawdust and green sawdust they can use. Dry softwood sawdust is no longer favored as fuel, as it can be a valuable product.

It should be noted that boilers over 10 MMBtu/hr are subject to a NSPS, whereas direct systems are not. In Georgia, boilers of any size are regulated. Direct air-to-air systems are essentially unregulated. Opacity standards may apply, but that is irrelevant since green wood combustion from air-to-air systems are essentially opacity free.

Air-to-air systems can use dry sawdust. However, combusting dry sawdust allows ash to get on the wood, which is not good. The preferred option is green wood air-to-air combustion (gasification). The downside for all (or most) air-to-air systems is that the wood fuel is not completely burned up. You do not get all the Btu out of the wood that is available. But it is good that the PM emissions of ash from an air-to-air stack is therefore lower.

That air-to-air ash can be considered as sequestering carbon (though I am not sure it officially qualifies for credits). It is similar to charcoal. On the other hand, high carbon concentration ash takes up somewhat more space in a landfill. On the other hand, high carbon ash can be a valuable product, if there is a facility that is equipped to use it. In Georgia, we have a brand new plant that uses high carbon ash to make carbon black.

Or high carbon ash can be used as a soil amendment that is known as Terra Preta. However, I don't think anyone has figured out how to do this commercially. [Website that explains Terra Preta](#). [Read at your own risk. I have not verified that this website contains accurate information, but it does give you a flavor.]

A Lynelle Ladd KS Small Business Environmental Assistance Program 3/6/2018

I want to read back the question the way I am reading it and see if I am getting this correct. If I am totally off-base on what you are asking, just ignore my response that follows.

The way I am reading your question, you are basically describing two different methods of heat transfer, using a boiler (of any kind). Previously, steam was used to heat radiantly, from a radiator unit which heated the air "passively" (just like in a home with radiant heat) to dry the wood. Now the facility wants to install a boiler (which I am assuming is still going to heat water to steam) that sends the steam to tubes and then air is forced over the heated tubes - "forced air" to deliver/blow hot air into the lumber drying chamber [just like a forced-air furnace in a home requires some sort of fan to transfer heated air.]

Emissions of any boiler are a sole result of combustion efficiency, fuel used and any method of control on combustion (rich/lean, low-NOx, Over-fire-air (OFA), flue recirculation, etc.). Radiators don't emit anything, and the fan in a forced-air boiler is electrically operated, so no emissions from "forcing air" into the lumber drying chamber.

If it is a new boiler, the manufacturer likely has some "test-cell" emission factors for the main pollutants that can be used to calculate the PTE (I don't think it matters how the steam is used since steam from boilers is used in so many ways –). If you can't get the Manufacturer's emission estimates for burning wood, then you may have to resort to AP-42.

R Donovan Grimwood TN Small Business Environmental Assistance Program 3/6/2018

Thank you for your responses. Yes, currently they are using natural gas, but want to switch back to wood as that will be a ready resource for them (being a lumber mill). They had originally had a wood fired boiler, but it was evidently not designed well and had opacity issues and complaints from nearby residences concerning smoke. They switched to natural gas as part of an agreement and are getting a new boiler designed to include a smoke scrubber that they are looking at installing.

According to the manufacturer of the boiler, it is going to be a top loaded boiler (i.e. open the lid and dump wood in) with a 1000 lbs. per load charge. It would then burn for about 25 hours per load (so charging rate of 40 lbs./hr. of wood). At least that is the relevant information I have been able to get concerning fuel usage for calculating emissions.

The manufacturer was wanting to know about forced air vs. the water radiator circulatory system they have been using as well as discussing the insulation of the building. I'm not sure I got him to understand that those would be related to the efficiency of the process, but wouldn't necessarily effect the efficiency of the boiler and how much emissions it produces.

Q Christopher Lynch NE Business Environmental Program 2/23/2018

I have an information request: Other than California, which is phasing out the use of perc dry cleaning machines per regulations passed in 2007, is anyone aware of any other state or local jurisdiction that has put in place a moratorium on the licensing of *new* perc dry cleaning machines? The requester is defining a moratorium as a measure that would "grandfather" existing perc dry cleaners to continue operations but would prohibit any new machines from being installed and coming into operation. The requester is looking for existing code, local ordinance, or statutory language. I've passed along the California regulations. If you're aware of anything else out there, please pass it along.

Q Lynelle Ladd KS Small Business Environmental Assistance Program 2/14/2018

This is a long email, so it may not pertain to you, I just basically want to double check work I doing using the NCDENR woodworking tool. I think a while back someone from NC shared their state emission spreadsheet for this type of emission source on technical or on main.

I am working with a source in Kansas that is cutting not only plywood flooring/wall material but foam insulation sheets. I wanted to use the NCDENR woodworking tool to get a PTE, but the uncontrolled numbers are coming back huge and by that I mean 7 times the PSD threshold for PM. I am hoping someone can confirm that a PM value that large would be typical for the numbers below that I am working with.

Here is what I know:

- 156,000 sheets are cut annually (estimate)

- Sizes of material (wood and insulation) varies
 - Width is standard 4 feet
 - Thickness varies between ½ inch and 1 inch
 - Length is mostly 8 feet, but there are materials 10 feet and 12 feet long
- Number of cuts per sheet varies between 1 and 30 cuts
- Length and shape of the cuts is custom to each project, so there is no standard
 - Worst-case cut distance we had last year was 384 inches for a single sheet.

The source provided me with an estimated total cut “rate” of 59,904,000 inches, or 4,992,000 ft. of board was cut for 2017. I am no carpenter but I researched how to calculate bd-ft online to enter into the NCDENR tool. Online information says T" x W" x L" divided by 144 = Bd. Ft. Using a worst case thickness, length and width, I ended up with 7,488,000 bd-ft. I wanted to hope my math was bad, but I found an online bd-ft calculator and entered the same information and got a similar answer.

They have control on all sawing and that gets everything down to a very reasonable “Controlled PTE”, but I was just wondering if there is something I am missing or doing incorrectly when it comes to the NCDENR spreadsheet. This could mean the difference between this source being required to obtain a Title V or our KS FESOP. If someone from NC can help me, or if anyone else has used it before, please either send me an email or give me a call.

A Renee Bashel WI Small Business Environmental Coordinator 2/14/2018

Does the emission estimate tool account for the regulated particle size fraction? A lot of wood waste is too large particle size to be regulated.

In the past I have used these AP-42 appendices to help find the fraction of emissions in the PM10 size or smaller:

<https://www3.epa.gov/ttn/chief/ap42/appendix/appb-1.pdf>

<https://www3.epa.gov/ttn/chief/ap42/appendix/appb-2.pdf>

Q Kevin Moluf KS Small Business Environmental Assistance Program 2/1/2018

While browsing through some grants, I had an idea about florists and organic wastes. Has anyone had experience with a similar project?

Q Susan Tripp VA Office of Small Business Assistance to Paula Hoag 1/26/2018

Thanks for joining our call yesterday, it was very helpful. Quick question for you. You mentioned some sort of meeting between trade associations and small businesses. I understand why this is a small, closed group. Do you think it might be possible for any trade association reps that are participating in your meeting to meet with our group separately? Just a thought.

A Paula Hoag EPA Office of Small Business Programs 1/29/2018

Good question! I will check with Joan on that. I assume we would have to gauge the interest from the trades and see if any that plan to attend the meeting are game.

R Susan Tripp VA Office of Small Business Assistance 1/29/2018

Thanks! I know our group is always talking about making connections with trade associations. When we were last in DC there was a great presentation from the Center for Retail Compliance and I think we’ve had others over the years.

Q John Podolinsky MT Small Business Environmental Assistance Program 1/25/2018

I received a call from a window cleaning company who’s looking to switch from a methanol-based window cleaner to an ethanol-based cleaner. I understand methanol is more damaging to window frames

than ethanol. Does anyone have experience with regulatory applicability for ethanol-based cleaners? Also, I'm interested in green cleaning alternatives and suggestions.

A Mark Stoddard IN Compliance & Technical Assistance Program 1/26/2018

You may consider exploring the [Cleaner Solutions Database](#) maintained by UMass – Toxics Use Reduction Institute.

[EPA Safer Choice and Safer Chemical Ingredients list](#)

[Chemical Hazard Data Commons](#) – I believe that you must subscribe to obtain access.

[Chemical footprint](#) and [Green Screen](#)

Q Sara Johnson NH Small Business Environmental Assistance Program 12/29/2017

I am creating a SOP for Membership in the NSC. I want the next person who takes over as SBO to understand why they need to join the NSC and how to participate. Here are the items I will include in the SOP.

Did I forget anything?

- 1) Visit nationalsbeap.org – email the current chair to introduce yourself.
- 2) Join the main sbep list serve
- 3) Join the subcommittees – Technical, promotional, education
- 4) Join the workgroups – optional – annual training, annual report, web site
- 5) Be the region 1 rep or alt
- 6) Attend annual training
- 7) Submit annual report data
- 8) Get involved in discussions, provide feedback on proposed regulatory changes, share tweets and support the network

There will be no one to train the next SBEAP/SBO. SOPs are a way to improve continuity and share knowledge. I am not leaving yet, but hope to move out of New England by the end of 2018.

A Elizabeth Sapio CO Small Business Ombudsman 12/29/2017

You could let them know that they can request a mentor from another state to ask questions. Your list looks good to me for NSC involvement.

R Donovan Grimwood TN Small Business Environmental Assistance Program 12/29/2017

That would be Jeremy in PA currently to discuss mentors correct? I would definitely put direct names and contact info when possible, though where to find that information is likely more useful. Also, check the National SBEAP map for your state and contact the web contact (Nancy and Barbara currently) to get the state contact information updated if needed.

Q Nancy Larson KS Small Business Environmental Assistance Program 12/27/2017

[In response to IL Dry Cleaning Calendar] I like to post six variations of the calendar for states to view. I will add yours as an update to our page as one of the 2018 versions. I like the cover, is it a photo that KS could use or did you purchase it?

A Annette Fulgenzi IL Small Business Environmental Assistance Program 1/2/2018

Unfortunately, it is a photo our graphic design shop purchased that is copyrighted.

Q Nancy Larson KS Small Business Environmental Assistance Program 12/18/2017

Anyone have a factsheet or guidance they like to direct clients to on this[how to read an SDS]?

R Sara Johnson NH Small Business Environmental Assistance Program 12/19/2017

Did Renee give a presentation on this? Or maybe I am thinking how to read the Federal Register.

A Renee Bashel WI Small Business Environmental Coordinator 12/19/2017

I create a fact sheet on [How to Use an SDS for Air Pollution Requirements](#) that I may have mentioned in presentations before.

R Harry Ching NY Small Business Environmental Assistance Program 12/19/2017

Renee, great factsheet! Within the limitations of any factsheet, everything is right on. I would like to mention that many manufacturers also has an Environmental Data Sheet (EDS) that provides additional useful info for what we do.

Q Sara Johnson NH Small Business Environmental Assistance Program 12/6/2017

Do any SBEAPs support the Soak Up the Rain initiatives?

A Mark Stoddard IN Compliance & Technical Assistance Program 12/6/2017

How much information can one assimilate in order to disseminate important information to a variable [target] audience? With that being stated, I did listen to an EPA webinar, [Growing New Jobs With Green Infrastructure](#) on Wednesday, November 8 presented representatives with Jobs For the Future and the National Green Infrastructure Certification Program. Some entities that we help are subject directly or indirectly through an MS4 (municipal separate storm sewer system) program which can include industrial activity.

Q Donovan Grimwood TN Small Business Environmental Assistance Program 11/6/2017

Received a call asking about the legality and regulations around the addition of cannabidiol to bottled water. Research indicates that it is essentially a derivative of hemp oil and not necessarily marijuana, though there is a close association between cannabidiol and THC. The client has contacted the FDA as it is dealing with a food product and they are researching it, and I am researching it from a water quality/water additive perspective, but wanted to ask the group if anyone else has been asked this question or dealt with something similar. Industrial hemp production does appear to be legal in TN, though marijuana is another matter.

A Lisa Hunt WI Small Business Environmental Assistance Program 11/6/2017

My understanding is that cannabidiol is one component of marijuana as is THC. Cannabidiol is used medicinally for pain relief and other purposes but doesn't create a high and is legal everywhere. Not sure about putting it in bottled water though. That seems weird.

R Donovan Grimwood TN Small Business Environmental Assistance Program 11/6/2017

It is, but also occurs in industrial hemp. And it does have some of the medical uses you say. The client has been approached by several groups about cannabidiol (CBD) as an additive and is doing his research as well. Though I did come [across this website](#). Honestly, some of what they are saying as to their manufacture sound like throwing random buzzwords into a blender and thinking no one would understand what they are saying. So... I agree that it does seem a bit unusual. Hopefully the client will not do the same.

A Mark Stoddard IN Compliance & Technical Assistance Program 11/6/2017

Is it considered a plant based oil? Depending on storage quantity or its use in equipment, it may have to be considered with respect to SPCC.

C21H30O2 – it appears to be an alkane bonded to three ring structure one of which appears to be aromatic.

I would assume this would have some impact on a wastewater effluent in terms of CBODs and BODs.

Q Nancy Larson KS Small Business Environmental Assistance Program 11/3/2017

Does anyone have waste determination experience working with PPE worn during amalgam filling removal at dental offices? I have a client that suspects they fail TCLP for mercury and would be consider RCRA hazardous. If you have experience or have run a TCLP on this waste stream, please share your experience. I know most of these offices generate exempt quantities, but some dentists want to go above and beyond. FYI – sharing two interesting videos that tell the exposure story.

Particulate exposure

During the removal of amalgam fillings, dentists are generating large quantities of mercury vapor and mercury contaminated particulate matter.

Vapor exposure

Here are some other mercury levels we've recently measured that were a shock to us ([video has both Sue Casteel from ATSDR and Eric Nold from EPA region 7](#)) Mercury levels after opening a new jar of pre-encapsulated amalgam and Mercury levels after a new amalgam is triturated (measurements from MT3000 are in micrograms)

A Dianne Wilkins OK Department of Environmental Quality 11/3/2017

I wouldn't be surprised if they failed TCLP since the level for Hg is so low. However, we haven't any additional information here.

A Sara Johnson NH Small Business Environmental Assistance Program 11/6/2017

I did a mercury amalgam project over 17 years ago when I was in pollution prevention. We passed a rule that required dental offices to install amalgam separators. We did not do any testing of PPE.

<https://www.des.nh.gov/organization/commissioner/p2au/pps/ppdpp/index.htm>

A Mark Stoddard IN Compliance & Technical Assistance Program 11/6/2017

As I vaguely recollect, EPA proposed a dental pretreatment standard which essentially required amalgam separators.

A Sheila Lockwood Chemical Hygiene and Biosafety Officer Seattle U 11/6/2017

I have never performed TCLP on gloves for amalgam contamination when supporting the Dental School at the University of Washington or the Emergency Dental Clinic with UWMC. I would suspect that with all the swishing and irrigation taking place it is unlikely you would have sufficient contamination remaining.

Does your client have good management procedures for all the other waste generating processes, x-rays, amalgam capture filters on the vacuum system and wastewater system, waste container for the near empty capsules, extracted teeth containing amalgam fillings, spent lighting, used batteries etc.? If not, I would focus on these areas first.

[Here is a link to the Washington State Department of Ecology guidance on the topic](#). The team I was with at the UW, worked closely with Ecology to develop and performance proof the guidance. Feel free to give a call to chat once you have looked at the Ecology guidance. Washington and King County requirements may be much more restrictive than Kansas or your local POTW's requirements.

Q Mark Stoddard IN Compliance & Technical Assistance Program 10/26/2017

Do states offer guidance for the disposition of wastewater from the cleaning of a roof? A contractor was referred to my office by another state employee, emergency response who was onsite to oversee the initial stage of a response to a release to a nearby stream. It was reported earlier that day. According to the contractor that I am attempting to help, the roof needs to be cleaned prior to the application of a roofing coating material. The cleaner is typically a detergent. Power washing may remove carbon black from the current roofing material. Additionally, the water used contains residual chlorine. The roofing manufacturer will not authorize the warranty unless the roof is adequately cleaned. This method of applying a roofing coating material is an alternative to a complete roof replacement and much less costly. It will afford 10 years of added life. The contractor is seeking assistance as to options including capture and control of any wastewater from this activity.

Illinois issued 'Mobile Power Washing . . . Keep It Clean!' in July 2002 and the State of Colorado issued guidance on low risk discharges from surface cosmetic power washing operations in July 2010 which is not very different from guidance issued within my state of Indiana by the Indiana Ready Mix Concrete Association where it is advised to conduct washouts in an area that will not cause runoff (promoting ground percolation).

Attachments—subject: [Sbeap_technical] disposition of wastewater from the cleaning of a roof using various ingredients including detergents

A Tom Jablonski MN Small Business Environmental Assistance Program 10/26/2017

Attached is MN Guidance on the topic. Hope it helps.

A Donovan Grimwood TN Small Business Environmental Assistance Program 10/26/2017

Here is the information I had in regards to Best Management Practices (BMP) for Power Washers. There was a webpage on EPA, but they have since moved things and it has proven difficult to find. There was an [overview of Best Management Practices on the Pressure Washing Industry Resource Center](#) that refers to the EPA Model Ordinance for Cosmetic Cleaning. I also found a [13 part YouTube presentation from PowerWash.com on EPA Power Wash Regulations for Mobile Power Wash Cosmetic Cleaning](#). Each of these contain information that I hope will be helpful as they outline many BMPs for Power Washers. Two of the main BMPs that were noted were:

1. Do not let wastewater enter stormwater sewer systems. Use covers to prevent wastewater from entering the stormwater sewer systems.
2. Use a vacuum/sump pump to collect water for disposal into the sanitary sewer system of the property you are working at. Check with the POTW first for permission and to make sure the sewer at the commercial site is a sanitary sewer system.

I also contacted Wade Murphy with the Division of Water Resources concerning the regulations governing Power Washing. Here is the email that he sent me:

Here is a summary of the regulatory situation: TDEC regulates discharges of pollutants to waters and the operation of sewerage systems. TDEC does not "regulate" pressure washing.

Discharges: We do not authorize discharges from pressuring washing activities; it is impossible for us to write discharge permits for pressure washing activities. Terms and conditions of discharge permits are a function of the water quality assessment and of the degradation resulting from a discharge to a specific water. Pressure washing activities are mobile and do not discharge to a single water. Additionally, we cannot authorize discharges to the ground or to municipal storm sewer systems because we have no authority to authorize one person to put wash water on the property of another person. The pressure washer must obtain that permission from the

property owner and the washer and property owner assume all liability for the activity. We only authorize discharges to waters held in the public trust.

Sewerage Systems: Pressure washers themselves are not sewerage systems. Systems associated with pressure washing that collect wash water and transport it for disposal do qualify as sewage systems and we issue State Operation Permits for those type systems. For the reasons above, we do not have an exemption for systems that incorporate treatment to remove the pollutants from the water (carbon filters e.g.) thereby resulting in high quality water. They either have to reuse that water (no permit required for a recycle system), haul it off for disposal (requires a permit), or assume complete responsibility for wherever else they put it (no permit granted).

In addition to the above information for water, I did note that systems that use filters to recycle water for reuse may over time accumulate enough pollutants to be classified as a hazardous waste. If this occurs, one would need to apply for a Hazardous Waste Generator permit and have to dispose of filters and wastewater as such. Generally, water and filters are changed out often enough to avoid this situation.

So those are the basic guidelines in TN. If the wash water enters a stream or has the potential and precautions are not taken, it would likely need a NPDES permit for industrial discharge.

Q Renee Bashel WI Small Business Environmental Coordinator 9/29/2017

We are updating the waste information in our Dry Cleaner Calendar and have found a few new things from other states to borrow. At the same time our waste folks are asking questions I'm not sure about, and I am hoping some of you may have experience with these:

1. How do they dispose of the machines when they upgrade or change? Do the machine vendors help recycle or dispose of them? Does it make sense to provide the shop owners with information on large appliance recycling?
2. Are there any solvents commonly used in the shop other than perc and petroleum based that we should mention as hazardous: alkaline or ammonia cleaning solutions, organic peroxides and perchlorates?

A Harry Ching NY Small Business Environmental Assistance Program 9/29/2017

Hi Renee, my program is currently only air but here's what I remember.

1. Since Perc is an "F-listed" haz waste, anything that come in contact with Perc is also a hazardous waste. Therefore waste perc machines are hazardous waste. Options:
 - a. Use the scrap metal exemption but this does not remove liabilities because the waste machine is still haz waste. Also, there maybe a time limit to use this option.
 - b. Have the machine cleaned to remove all perc residues then dispose of as non haz waste.
2. Pretreatment chemicals contain various concoctions that include perc, trichloroethylene, glycol ethers, alkaline, etc.

Mark Stoddard IN Compliance & Techincal Assistance Program 10/6/2017

From Rick Armstrong, MWDLA Executive Director, IN

1. How do we dispose of machines when upgraded or changed?
2. Are there solvents used other than perc and petroleum based that are hazardous?

It is really too expensive to retrofit to a 4th or 5th generation machine. Most cleaners are switching to SK4 or hydrocarbon machines. When they purchase their new machines, the company or dealer selling them the equipment disposes of the old. With us, after we get all the perc out of our

machine we broke the machine down and sold it for scrap and whatever we could get. This is what most “dealers” do. Recyclers will take the machines if all the perc, filters and any residue is out of the machine.

We cleaned the tanks and the still out then took a blow torch and cut it down and had it recycled for whatever we could get. I don’t know what Haiges or Machinex does. It has been 14 years since we put in our new machine. I will see Jeff Dunn from Machinex at a seminar we have this week. I will ask him what they do. I can also ask the cleaner where we are going what they did this last year when they discontinued the use of their perc machines.

The majority of the cleaners are switching to water based spotters so they don’t have a problem of disposal. They are trying to cut out as much of the hazardous disposal expense as possible. I hope this answers your questions, but if you need anything else, just let me know.

A Jenna Latt CA Small Business Environmental Assistance Program 10/6/2017

CA does not have any programs for recycling dry cleaning machines. However, in doing a little research, here’s the information we received from a local equipment vendor.

“1. Most of the dry cleaners we’ve served and upgraded, we took back their old dryclean machines after they drained all their perc out. And they are responsible for calling their hazardous waste disposal company to pick up the perc drums. After, we take it back, we usually send it to a scrap recycle center for money. Also, this is included in their delivery and rigging charges, so they do not need to pay extra for this.

2. Yes, we do usually help our customers help recycle/dispose of them. This is mainly done for cleaners who upgrade their equipment.

3. I think it would make more sense if the vendors (not the State) provided that information and service.”

Our regulatory side of the house confirmed what the vendor said. I’m also attaching our list of perc alternative chemicals which may be helpful in assessing waste.

Q Susan Tripp VA Office of Small Business Assistance 9/21/2017

Just happened to see that there is an upcoming Regional Regulatory Roundtable being held in Glen Allen, VA on October 16, 2017. For the states where roundtables have already been held, I was curious if those SBEAP’s got involved in spreading the word for the event. If so, what outreach methods or networks did you use?

A Lynelle Ladd KS Small Business Environmental Assistance Program 9/25/2017

September 14th, the SBA Office of Advocacy Regional Regulatory Roundtable was held in Overland Park, KS. Kansas SBEAP promoted via our Twitter account. I attended all sessions. The format in Overland Park more closely resembled a regulatory public hearing, rather than a roundtable, which I associate with discussions and question and answer sessions. Topics were broken into 4 main sections: Input from Transportation, Hospitality and Retail, Input from Financial Services and Real Estate Industries, Input from Construction and Manufacturing, and Input from Agriculture, Energy and Land Use Concerns.

“Testimony” was given by attendees on a wide range of topics, but no discussions occurred. Only two environmental regulations were mentioned (but are tied together by the one). Concerns in the energy sector for NSPS 40a and a general statement that LDAR requirements (VVA) for are overly burdensome because most locations are unmanned and the operators have to drive far distances to perform this audits. Also of general concern across sectors was that all the rules (OSHA, DOT, EPA) have too much paperwork requirements.

I am not sure if some of the attendees submitted statements prior to the meeting. However, I was surprised that EPA Region 7 was not in attendance, although an OSHA regional representative, a U.S. Fish and Wildlife Service representative and an IRA representative from the region attended.

A Sara Johnson NH Small Business Environmental Assistance Program 9/25/2017

NH did promote it thru an email list that we had as well as to other small business assistance providers. My co-worker attended the Roundtable. The only environmental issue that came up was a disgruntle business that had an enforcement action.

A Nancy Larson KS Small Business Environmental Assistance Program 9/25/2017

In Kansas we used our @SBEAP Twitter and our website as well as reached out to regional stakeholders. Nationally, we promoted all events via our @National_SBEAP Twitter. We also added several to the website calendar.

Q Nancy Larson KS Small Business Environmental Assistance Program 5/4/2017

Anyone have one of these (presentation about history of SBEAP) that you can share? I have a presentation to air quality groups next week that includes some of this information.

Q Susan Tripp VA Office of Small Business Assistance 3/13/2017

I am a presenter at a Brownfields conference sponsored by VA DEQ. My topic is air permitting for dry cleaners and the audience will primarily be landlords, lessors and developers. I do not have a technical background, but I have been studying up on subpart M. Does anyone have a presentation they would be willing to share? I would give you full credit! If not a presentation, would you provide some bullet points of information you think I should be sure to include in my presentation?

A Jessica Dalton FL Division of Air Resource Management 3/13/2017

Attached is a presentation that one of Florida's district compliance offices gave to a similar audience a few years back. It's gear towards Florida rules and procedures but it may help.

A Barb Goode KS Small Business Environmental Assistance Program 3/13/2017

It appears it was 2005 when we last did a dry cleaner workshop. I'm copying Nancy to see if that's right. You are welcome to use any of this or none of this and since it is so old, don't worry about crediting us. The subpart M information is in the last half of the presentation.

Q Nancy Larson KS Small Business Environmental Assistance Program 1/3/2017

When your state calculates PTE for solvent recovery systems do they use AP-42 Chapter 4.6 and 4.7 or mass balance? Mass balance would mean that 100% of the solvent throughput is considered emitted even though they are obviously reusing the solvent so 100% in practice is not emitted. Also – does your state allow a company research and development time before requiring they apply for construction permits? I can't find anything in the CAA or our state statues that addresses this R&D topic.

Q Dan Nickey University of Northern Iowa 11/27/2016

I will be attending the fall CAAAC meeting this Thursday in DC. I have been asked to provide comment on a presentation regarding the health effects of diesel emissions. They would like me to take five minutes to discuss (no Power Point) what our organizations are doing to reduce diesel emissions and what gaps we would like to be filled. Sorry for the short notice I received this request on Friday. If you have any thoughts please forward them to me by the end of Wednesday. At the meeting, I will also be obtaining more information on the CAAAC awards.

Q Susan Tripp VA Office of Small Business Assistance 6/13/2016

I've been trying to recall which states at the DC training indicated that they had a food waste reduction initiative in place. Seems like there were one or two states, but I can't remember which ones. Anyone out there have some information on this?

Announcements

Regulatory News

[Report on the Regulatory Flexibility Act, FY 2022](#)

[New 6H Rule - Volunteer Autobody Shop](#)

[DAADs for Attainment of Ground-Level Ozone NAAQS](#)

[Failure to Complete Regional Haze SIPs](#)

[Air Toxics Standards for Stationary Engines - Final Amendments to Address Court Vacatur](#)

[NESHAP Amendments for Industrial, Commercial, and Institutional Boilers](#)

[SIGNED: Proposed Rule for Surface Coating of Plastic Parts for Business Machines NSPS Review;](#)

[SIGNED: Miscellaneous Coatings Manufacturing Proposed Rule for the NESHAP Technology Review](#)

[SIGNED: Proposed Amendments to Air Toxics Standards for Bulk Gasoline Terminals; Posted: Final Policy Assessment for PM NAAQS Reconsideration](#)

[Removal of “emergency” affirmative defense provisions from Clean Air Act \(CAA\) operating permit program regulations](#)

[Good Neighbor Plan for 2015 Ozone Standard](#)

[Notive to Remove Stay of Formaldehyde Standards in NESHAP for Stationary Combustion Turbines](#)

[Proposed Results of Technical Review of 2007 NESHAP for Wood Preserving Area Sources](#)

[Department of Interior Briefing on Orphaned Wells](#)

[Revisions to NESHAPs for Municipal Solid Waste Landfills](#)

[Failures to Submit SIPs](#)

[Addition of 1-BP to HAP List](#)

[Proposal to Amend NESHAP for Primary Copper Smelting](#)

[EPA Finding that NY and PA Failed to Submit Timely SIP Revisions Related to 2016 Oil and Natural Gas Industry CTG](#)

[EPA Proposing to Deny All Pending SRE Petitions from Renewable Fuel Standards](#)

[Final Rule Responding to the Court Remand of Ozone Designations for El Paso County, TX and Weld County, CO for the 2015 NAAQS](#)

[Published: Standards of Performance for New, Reconstructed, and Modified Sources and Emissions](#)

[Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review](#)

[Four New Air Toxics Rules-- Carbon Black, Cyanide Chemicals, Polyurethane Foam, and Refractory Products](#)

[Minor Amendments to NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources](#)

[Minor Corrections to four NESHAPS-- Surface Coating of Automobiles and Light-Duty Trucks, Surface coating of Metal Cans, Boat Manufacturing, and Clay Ceramics Manufacturing](#)

[EPA not reconsidering PSD and NNSR:Project Emissions Accounting](#)

[EPA Return to 2015 Policy on SIP Exemptions During SSM](#)

[Proposed Amendments to National VOC Emission Standards for Aerosol Coating](#)

[ANPRM for Pyrolysis and Gasification Units](#)

[Draft Emission Models for Poultry Operations](#)

[Federal Register Notice-- June 2021](#)

[ANPRM on Adding 1-BP to HAP List](#)

[Non-Hazardous Secondary Materials Guide and May 2021 Federal Register](#)

[NESHAP for Municipal Solid Waste Landfills and SO₂ Area Designations](#)

[SBA Environmental Roundtable: Multi-Sector General Permit](#)

[Re-Signing December 2020 Round 4 SO₂ Designations Action](#)

[Federal Register Notices-- February 2021](#)

[Re-Signing of Final Action to Remove Language on SSM Exemptions](#)

[SBA Environmental Roundtable: Update on High Priority Chemicals- PV 29, NMP, HFC](#)

[SBA Environmental Roundtable: Update on High Priority Chemicals- 1,4 Dioxane and Asbestos](#)

[USDA Publishes Final Rule for the Domestic Production of Hemp](#)
[Framework for Determining When Standards are Appropriate for GHG Emissions from Specific Source Categories Under CAA](#)
[Final Amendments to the Standards of Performance for Volatile Organic Liquid Storage Vessels; Municipal Solid Waste Landfills](#)
[Proposed Air Toxics Standards for Carbon Black Production, Cyanide Chemicals Manufacturing](#)
[NESHAP General Provisions for Exemption During SSM; Flexible Polyurethane Foam NESHAP and RTR Proposal Rule](#)
[NSR Error Correction, RTRs on Mercury Cell Chlor-Alkali Plants, Primary Magnesium Refining, and Refractory Products](#)
[Correction Notice for Final MM2A Rule](#)
[Final Guidance on Preparation of CAA Sect. 179B Demonstrations for Nonattainment Areas Affected by International Transport of Emissions](#)
[Fines on Distilleries Making Hand Sanitizer Rescinded](#)
[Federal Air Toxics Update and December 2020 Federal Register Notices](#)
[Interim Guidance on Destroying and Disposing of Certain PFAS and PFAS-Containing Materials](#)
[SBA Environmental Roundtable: Update on High Priority Chemicals- Perchloroethylene, Staff Handbook for Developing Integrated Risk Information System Assessments, Small Business Perspectives](#)
[Final Chemical Risk Evaluation for Perchloroethylene](#)
[SBA Environmental Roundtable: Update on High Priority Chemicals- TCE, DIDP and DINP](#)
[Withdrawal of October 9, 2020 Rule on Attainment of Revoked 1997 Ozone NAAQS](#)
[Final Chemical Risk Evaluation for TCE](#)
[SBA Environmental Roundtable: Update on High Priority Chemicals- Carbon Tetrachloride](#)
[Federal Register Notice-- November 2020](#)
[OAQPS Presentation on Storage Vessels](#)
[States Failing to Meeting CAA SIP Revision Deadline](#)
[Amendment to NESHAP for Phosphoric Acid Manufacturing](#)
[Rule Clarifying Process for Evaluating Applicability of NSR Permitting Program](#)
[New PTE Training Course, October 2020 Federal Register Notice](#)
[NESHAPs for HAPs for Polyvinyl Chloride and Copolymers Production](#)
[Major Source Reclassification](#)
[Guidance on SMM Provisions in NAAQS SIPs](#)
[Amendments to Standards of Performance for Volatile Organic Liquid Storage Vessels](#)
[SBA Environmental Roundtable: Final Risk Evaluation for Cyclic Aliphatic Bromide Cluster](#)
[Amendment to NESHAP General Provisions](#)
[Areas Attaining 1997 Ozone NAAQS](#)
[Correcting Technical Errors in Test Methods and Performance Specifications, Incorporating Alternative Equipment](#)
[Opportunity to Comment on EPA's Plan to Retain NAAQS Standards for Photochemical Oxidants](#)
[NSPS for the Oil and Gas Industry](#)
[NSPS and Emission Guidelines for Other Solid Waste Incineration Units](#)
[U.S. EPA Proposed Consent Decree to Establish NSPS/NESHAP for Seven Source Categories](#)
[Minor Revisions to 2012 Coal- and Oil-Fired Electric Utility Steam Generating Units NESHAP](#)
[Final Rule Regarding State Implementation Plans](#)
[Proposal to Retain Current Standards for Ground-Level Ozone](#)
[National Emission Standards for Hazardous Air Pollutants: Site Remediation Residual Risk and Technology Review](#)
[National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating Residual Risk and Technology Review](#)
[Proposal to Amend 2013 NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters](#)

[RTRs for Surface Coating of Automobiles and Light-Duty Trucks; Surface Coating of Miscellaneous Metal Parts and Products; and Surface Coating of Plastic Parts and Products](#)
[Promulgation of Air Quality Implementation Plans; State of Texas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan](#)
[Addition of 1-BP to HAP List](#)
[RTRs for Taconite Iron Ore Processing NESHAP and Miscellaneous Coatings Manufacturing NESHAP](#)
[Federal Register Notice-- June 2020](#)
[Amendments to 2004 NESHAP for Plywood and Composite Wood Products](#)
[Risk and Technology Rules for Rubber Tire Manufacturing and Lime Manufacturing](#)
[Amendment to 2003 Miscellaneous Organic Chemical Manufacturing NESHAP](#)
[Federal Register Notice-- April-May 2020](#)
[NESHAP for Integrated Iron and Steel Manufacturing Facilities](#)
[Fuel Streamlining Proposed Rule- Simplifying Procedure for Ultra Low Sulfur Diesel](#)
[Final Rule Signed on Mercury and Air Toxics Standards](#)
[Draft Risk Evaluation for Asbestos](#)
[Final Rule Signed on Mercury and Air Toxics Standards: Final Subcategory of Certain Existing Electric Utility Steam Generating Units That Fire Coal Refuse](#)
[Proposal to Amend 2015 NESHAP for Phosphoric acid Manufacturing](#)
[Final Amendments for Ethylene Production and Organic Liquids Distribution](#)
[Final Rule: Site Remediation Risk and Technology Review](#)
[Final Rule: Hydrochloric Acid Production Risk and Technology Review](#)
[Final Amendment for Cellulose Products Manufacturing and Air Toxics Standards for Paper and Other Web Coating](#)
[Final Rule: Standards of Performance for New Residential Wood Heaters, Hydronic Heaters and Forced-Air Furnaces](#)
[Final Amendments on Air Toxics for Surface Coating of Automobiles and Light-Duty Trucks, Miscellaneous Metal Parts and Products, Plastic Parts and Products, Large Appliances, and Metal Furniture; Printing, Coating and Dyeing of Fabrics and Other Textiles; and Final Amendments to air Toxics Standards for Engine Test cells/Standards Risk and Technology Review](#)
[Municipal Solid Waste Landfills Emission Guidelines - Notice of Finding of Failure to Submit State Plans](#)
[RTR Final Rules on Municipal Solid Waste Landfills, Boat Manufacturing and Reinforced Plastic Composites Production, and Solvent Extraction for Vegetable Oil Production](#)
[DRAFT Guidance for Ozone and Fine Particulate Matter Permit Modeling](#)
[Draft Guidance: Plantwide Applicability Limitation Provisions Under the New Source Review](#)
[Preconstruction Permitting Regulations](#)
[Minor Amendments to NESHAP for Stationary Combustion Turbines](#)
[Minor Amendments to NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing](#)
[Final Revisions to the Petition Provisions of the Title V Permitting Program and Final Petroleum Refinery Sector Reconsideration](#)
[Final Risk and Technology Review for Surface Coating of Metal Can and Metal Coil](#)
[Guidance on Begin Actual Construction for the Major New Source Review Program](#)
[Revised Policy on Exclusions from "Ambient Air"](#)
[Correcting Errors in Test Methods and Performance Specifications and Incorporating Alternative Equipment and Test Methods](#)
[RMP Reconsideration Final Rule](#)
[Federal Register Notice-- October-November 2019](#)
[Amendment to Standards of Performance for Stationary Compression Ignition Internal Combustion Engines in Remote Areas of Alaska](#)
[Minor Amendments to NESHAPs for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills and NSPS for Kraft Pulp Mills](#)

[Federal Register Notice-- October 2019](#)
[Reopening Public Comment Period on NESHAP Integrated Iron and Steel Manufacturing Facilities Residual Risk and Technology Review](#)
[RTR of NESHAP for Rubber Tire Manufacturing](#)
[RTR of NESHAP for Organic Liquids Distribution \(Non-Gasoline Facilities\)](#)
[Public Hearing on Proposed Policy Amendments to 2012 and 2016 NSPS for the Oil and Natural Gas Industry](#)
[Ethylene Oxide Updates/ Federal Register Notices-- September 2019](#)
[APNRM Approach for Ethylene Oxide](#)
[Proposed RTR Amendments- Iron and Steel Foundries](#)
[Repeal of 2015 Waters of the United States Rule](#)
[Federal Register Notice-- September 2019](#)
[Federal Register Notices-- August-September 2019](#)
[Amendment to 2016 NSPS for Oil and Natural Gas Industry](#)
[EPA Proposes Updates to Air Regulations for Oil and Gas to Remove Redundant Requirements and Reduce Burden](#)
[RTR for Taconite Iron Ore Processing](#)
[IRP for review of Ozone NAAQS](#)
[Adopting Requirements in Emission Guidelines for Municipal Solid Waste Landfills](#)
[Proposed Amendments for Paper and Other Web Coatings NESHAP](#)
[Case Challenging Withdrawal of "Once-In-Always-In" Dismissed](#)
[Actions Issued Regarding Timing and Implementation of 2016 Emission Guidelines for Existing Municipal Solid Waste Landfills](#)
[NESHAP for Miscellaneous Coating Manufacturers Residual RTR](#)
[Prevention of Significant Deterioration and Nonattainment NSR: Project Emissions Accounting OECA on Collaboration vs. Fines to Ensure Compliance](#)
[Federal Register Notice—May 2019](#)
[Boat Manufacturing and Reinforced Plastic Composites Production NESHAP Proposed Rule](#)
[Federal Register Notice-- April 2019](#)
[Federal Register Notice—March 2019](#)
[Federal Register Notice—February 2019](#)
[Federal Register Notice—January 2019](#)
[Final Rule for Pharmaceutical Hazardous Waste and Amendment to P075 Listing for Nicotine Waters of the United States Definition](#)
[Federal Register Notices—October-November 2018](#)
[PV29 Draft Risk Evaluation and Update on Lautenberg Act Progress](#)
[Federal Register Notices—July](#)
[Federal Register Notices—June-July 2018](#)
[EPA TCE Problem Formulation](#)
[Recent Announcements \(6/4/2018\)](#)
[Federal Register Notices—January and February 2018](#)
[Withdrawal of “Once-In-Always-In”](#)
[Additional Information on Withdrawal of “Once-In-Always-In”](#)
[Federal Register Notices—October 2017](#)
[Federal Register Notices—June-August 2017](#)
[Federal Register Notice—March 2017](#)

Opportunities for Comments

[Listening Sessions for the Methane Emissions Reduction Program Assistance](#)
[SBA Roundtable-- Energy Conservation Standards for Distribution Transformers](#)
[Public Comment on EPA’s National Enforcement and Compliance Initiatives](#)

[Roundtable on OAR's Provisions in the Inflation Reduction Act](#)
[EPA Proposed Amendments to Air Toxics Standards for Wood Preserving Area Sources](#)
[EPA Seeks Input on TSCA Section 8\(a\)\(7\) Rule: Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances](#)
[Extending Comment Period for Proposal to Sharply Reduce Pollution from Oil and Natural Gas Industry](#)
[EPA Webinar to Solicit Stakeholder Input on Interstate Air Pollution Transport under CAA for 8-hour Ozone NAAQS](#)
[AMEL for Leak Detection and Repair in Standards of Performance and NESHAP for SO2 and Petroleum Refining Industry](#)
[EPA Seeks Public Comment on Protecting Human Health and the Environment from PBT Chemicals](#)
[Extended Comment Period for Several Proposed NESHAPs](#)
[EPA Seeks Small Businesses Input on Risk Management Rulemaking for Asbestos, Part 1: Chrysotile Asbestos](#)
[Webinar on Asbestos Part 1: Chrysotile Asbestos](#)
[EPA Seeks Public Input on Draft Guidance for PFAS Significant New Use Rule](#)
[Seeking Comments on AMEL for Standards of Performance for Volatile Organic Liquid Storage Vessels](#)
[EPA Seeks Small Business Input on Risk Management Rulemaking for HBCD](#)
[EPA Seeks Small Businesses Input on Risk Management Rulemakings for Methylene Chloride and 1-Bromopropane](#)
[Public Engagement and Outreach on Risk Management Under TSCA](#)
[Webinar on Petition Approval Process for Adding 1-BP to HAP List](#)
[Public Hearing on Proposed Amendments to NSPS for Residential Wood Heaters](#)
[Rescheduled TSCA Science Advisory Committee on Chemicals](#)
[TSCA Science Advisory Committee on Chemicals Perchloroethylene Meeting](#)
[TSCA Science Advisory Committee on Chemicals Asbestos Meeting](#)
[Opportunity to Comment on Draft Guidance Regarding Interpretation of "Begin Actual Construction" under NSR](#)
[Opportunity to Comment on Proposed Revisions to Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources](#)
[Proposed NESHAP Rule on Spray Gun Training Requirements](#)
[Seeking Common Ground on Chemical Ingredient Transparency Policies](#)
[Proposed Amendment to Manifest Forms](#)
[Seeking Input on OAQPS Effect on Small Businesses](#)
[OECA Requesting Feedback on January 2018 Interim Guidance Memo, National Compliance Initiatives](#)
[AAPCA Comments on Draft EPA FY 2018-2022 Strategic Plan](#)
[Listening and Comment sessions—Office of Air and Radiation](#)
[Notice to trade associations about opportunity to comment on regulatory reform](#)

EPA News

[Environmental Justice Screening and Mapping Tool Updates](#)
[EPA and POE Announce Intent to Reduce Methane Emissions from Oil and Gas Sector](#)
[SBA Roundtable-- EPA's Proposed Risk Management of Perchloroethylene Under TSCA](#)
[EPA's Proposed Amendments to NESHAP for Integrated Iron and Steel Manufacturing Facilities](#)
[EPA Proposes Ban on All Consumer and Many Commercial Uses of Perchloroethylene](#)
[SBA Roundtable-- EPA's Proposed Risk Management of Methylene Chloride Under TSCA](#)
[EPA's Role with States Regarding Enforcement](#)
[EPA Proposes New Standards to Reduce Exposure to Ethylene Oxide Pollution](#)
[SBA Roundtable-- Ethylene Oxide Emissions Standards](#)
[Wildfire Smoke Preparedness in Community Buildings Grant Program](#)

[Miscellaneous Coatings Manufacturer NESHAP; Lead Acid Battery Manufacturing Area Source NESHAP; SIP Disapprovals for Interstate Transport, 2015 8-hr Ozone NAAQS; Reaffirming Limits on Power Plants; SWA Effluent Analysis Update](#)
[Final Technology Review for Wood Preserving Area Sources-- No Change to Existing Standards in NESHAP](#)
[Final Amendments to NESHAP for Lead Acid Battery Manufacturing Area Sources](#)
[Pollution Prevention Grant Program Updates](#)
[EPA initiatives into the FY 2024–2027 Cycle](#)
[SBA - Environmental Justice Screening Tool](#)
[Fall 2022 Unified Agenda of Regulatory and Deregulatory Actions](#)
[SBA Environmental Roundtable Meeting- Proposed Changes to TSCA Fees](#)
[EPA Environmental Justice News](#)
[SRA Roundtable-- EPA's Proposed Revisions for the Risk Management Program Regulations Under the Clean Air Act; EPA's Proposed Hazardous Substance Designation for PFOA and PFOS under CERCLA](#)
[EPA Designates PFOA/PFOS as a Hazardous Substance under Superfund](#)
[EPA Announces Initial Availability of \\$11 Million for Technical Assistance Centers to Support Underserved Communities](#)
[EPA Community Engagement Plan for EtO](#)
[Final ASBO Monitoring and Reporting Strategy](#)
[Discussion of Meaningful Engagement for Overburdened and Underserved Communities](#)
[Draft Air Emissions Models for Dairy Operations](#)
[SBA Roundtable-- EPA's Proposed Reporting and Recordkeeping Requirements for Asbestos Under the Toxic Substances Control Act](#)
[EPA Seeking Nominations to MSTRS of the CAAAC](#)
[OAQPS Small Business Assistance Program Listserv](#)
[Updated Report on Air Quality Trends](#)
[EPA Tools & Resources Webinar-- Understanding Environmental Justice through two EPA tools: EJSCREEN and EnviroAtlas](#)
[Extending Comment Period on Good Neighbor Plan for 2015 Ozone NAAQS](#)
[SBA Roundtable-- Introductions & Update on Chemicals Designated as High Priority under TSCA; EPA's Proposed Regulation for Chrysotile Asbestos Under Section 6\(a\) of the Toxic Substances Control Act \(TSCA\)](#)
[OAQPS Updates-- Mitigation Plans Under the Exceptional Events Rule; Draft Ozone Policy Assessment; SIGNED: Final Air Toxics Standards for Mercury Cell Chlor-Alkali Plants; Proposed Amendments to the NSPS for EAF and Argon-Oxygen Decarburization Vessels; Proposed Amendments to NSPS for ALDT Surface Coating Operations](#)
[Meetings Discussing Updated Risk Information for EtO](#)
[SBA Roundtable-- National Coordinating Entity for Sustainable Chemistry and The Role of Federal Research, Policy and Engagement in Third Party Standards and Certifications](#)
[Proposed Revision to Add HFO-1336mzz\(E\) to List of Compounds Excluded from Regulatory Definition of VOC](#)
[Routine Corrections and Updates to EPA Emissions Measurement Methods](#)
[EPA Proposing Determinations for Whether Certain Areas Have Met 2008 or 2015 NAAQS for Ground-Level Ozone](#)
[Revision to EPA's Third Party Certifier Corrective Action List](#)
[SBA Roundtable-- EPA Efforts to Reduce Emissions from Heavy-Duty Vehicles and Engines](#)
[EPA Seeking SER for SBAR Panel on Proposed Revisions to AERR Rule](#)
[EPA Office of Grants and Debarment Webinar Series-- Competition Process, Developing a Budget, and Financial Management](#)
[SBA Roundtable-- EPA Efforts to Reduce Emissions from Heavy-Duty Vehicles and Engines](#)

[ASBO Resource List for Small Entity Compliance Assistance and Guidance on Submitting to Smallbiz@EPA Bulletin](#)
[SBIR Webinars: Recycling Technologies and Sustainable Materials Technologies Webinar: Federal Funding and You](#)
[SBA Roundtable-- EPA's Proposed Response: Petition To Revise the Non-Hazardous Secondary Material Standard](#)
[Release of AirToxScreen](#)
[SBA Roundtable: EPA's Draft TSCA Screening Methodology to Evaluate Chemical Exposures and Risks to Fenceline Communities](#)
[Municipal Solid waste Landfills RTR; MATS for Power Plants; Underpinnings of Limits on toxic Emissions](#)
[Webinar on Addition of 1-BP to HAP List](#)
[EPA Grants Award Process Webinar](#)
[ECHO Webinar](#)
[SBA Roundtable on Proposed Definition of WOTUS](#)
[New Disadvantaged Business Enterprise Program Training](#)
[EPA Seeking Applicants for 2021 Environmental Education Grants](#)
[Proposal to Reduce Methan and Other Harmful Air Emissions from Oil and Gas Industry](#)
[Training Events on Proposed Oil and Gas Rule](#)
[EPA Appoints New Members to National Environmental Justice Advisory Council](#)
[EPA Responds to New Mexico Governor and Acts to Address PFAS Under Hazardous Waste Law](#)
[First PFAS Reporting in TRI Available for Viewing](#)
[Region 8 New P2 Regional Award Program](#)
[Final BP Amoco Title V Petition Order](#)
[More Frequent Updates to National Air Toxics Data and Risk Estimates](#)
[Oil and Gas Listening Sessions](#)
[Air Trends Report and Revised Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards](#)
[Invitation to Serve as Small Entity Representative to Small Business Advocacy Review Panel](#)
[Proposed Rule to Reduce Methane and Other Pollutants from Oil and Gas](#)
[Federal Plan to Implement 2016 Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills](#)
[EPA Administrator Regan Establishes New Council on PFAS](#)
[EPA Air Toxics Strategy and April 2021 Federal Register Notice](#)
[Memo from Administrator Regan on General Principles](#)
[OAQPS Strategy Related to Air Toxics](#)
[EPA Reboots Climate Change Website](#)
[OAQPS Webinar on EPA's Proposed RTR Amendments to Air Toxics Standards for Carbon Black Manufacturing Production, Cyanide Chemical Manufacturing, Flexible Polyurethane Foam Fabrication, and Primary Magnesium Refining](#)
[Petition to Remove Portion of Maine OTR](#)
[Updates to ASBO Website](#)
[Final Risk Evaluations for Asbestos, Part 1: Chrysotile Asbestos](#)
[ASBO Program Guide and Outreach Materials](#)
[National Recycling Goal](#)
[EPA Launches New Learning Management System](#)
[OAQPS Roundtable on Storage Vessels and Reclassification of Major Sources](#)
[RASBLs](#)
[New Reg Nav Tool for Municipal Solid Waste Landfills](#)
[6H Reg Nav Tool](#)
[Final Scope Documents and List of Businesses Subject to Fees for Next 20 TSCA Risk Evaluations](#)

[Draft Emission Models for Swine Operations](#)
[EPA Releases Final Chemical Risk Evaluation for 1-BP](#)
[Proposal to Redesignate Certain Unclassifiable Areas in Missouri, Ohio, Nebraska, and Texas](#)
[Information Collection Request for Ethylene Oxide](#)
[Air Trends Report](#)
[NSC Representative for Clean Air Act Advisory Committee](#)
[EPA Proposed Rule on Guidance Documents](#)
[EPA Publishes Mercury Inventory Report, Enhances Transparency of Data on Supply, Use and Trade](#)
[EPA Announces Enforcement Discretion Policy for COVID-19 Pandemic](#)
[Region 7 Temporary Enforcement Policy During COVID-19](#)
[EPA Expediting Emerging Viral Pathogens Claim Submissions](#)
[Online Database of EPA's Active Guidance Documents](#)
[NESHAP for Petroleum Refinery Sector; Minnesota: Revision to Taconite Federal Implementation Plan;](#)
[National Environmental Justice Advisory Council](#)
[Opportunity to Comment on Draft Guidance About Developing Technical Demonstration to Show that an](#)
[Area would be in Attainment if not for Emissions Emanating from Outside the U.S.](#)
[EPA Finalizes List of Next 20 Chemicals to Undergo Risk Evaluation under TSCA](#)
[EPA Initiates Peer Review of TSCA Systematic Review Approach](#)
[EPA Seeks Small Businesses for SBREFA Panel on Ethylene Oxide Emission Proposed Rule](#)
[ANPRM Regarding Revising Standards for Commercial Ethylene Oxide Sterilization and Fumigation](#)
[Facilities](#)
[ANPRM on Ethylene Oxide, New OAR Deputy Assistant Administrator Named, EPA and JTC Seeking](#)
[Feedback on Training Curriculum Outlines](#)
[Reg Nav for Municipal Solid Waste Landfills](#)
[EPA Takes Important Step to Advance PFAS Action Plan, Requests Public Input on Adding PFAS](#)
[Chemicals to the Toxics Release Inventory](#)
[EPA Fall 2019 Regulatory Agenda](#)
[Updated Version of "Managing Hazardous Waste: A Guide for Small Businesses"](#)
[EPA's Next Steps Regarding 2015 NSPS for New Residential Wood Heaters, Hydronic Heaters, and](#)
[Forced-Air Furnaces](#)
[Request for Voluntary Submissions of data on VOCs from AFOs](#)
[Draft Version of Reg Nav Tool for Municipal Solid Waste Landfills](#)
[RTR for Ethylene Production; Policy Assessment for the Review of NAAQS for PM, External Review](#)
[draft; CMAQ Model v5.3](#)
[Methylene Chloride Consumer Paint and Coating Removal Rule Implementation - EPA Issues](#)
[Compliance Guide to Assist Small Entities](#)
[Guidance on Addressing Visibility Impairment under Regional Haze Rule](#)
[Updates to Air Pollution Control Cost Manual](#)
[Error Correction for Area Designations for 2010 1-Hour SO₂ Primary NAAQS](#)
[Exceptional Events Guidance: Prescribed Fire on Wildland that May Influence Ozone and Particulate](#)
[Matter Concentrations \(Prescribed Fire Guidance\)](#)
[Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date and](#)
[Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air](#)
[Quality Standards](#)
[Call to Address Questions and Concerns Regarding Recent Municipal Solid Waste Landfills Rule](#)
[EPA Proposing to Clarify Process to Evaluate Applicability of NSR to Proposed Projects at Existing Air](#)
[Pollution Sources](#)
[Air Pollution Trends Show Cleaner Air, Growing Economy](#)
[House Passes Bill to Tackle PFAS Cleanup](#)
[New Stationary Compressions Ignition Engines in Remote Alaska, Municipal Solid Waste Landfills](#)
[EPCRA Reporting Exemption for Emissions from Animal Waste](#)

[Guidance on CWA Section 401](#)
[NESHAP Surface Coating of Metal Cans and Metal Coil RTR](#)
[Spring 2019 Unified Agenda](#)
[First Meeting of the Science Advisory Committee on Chemicals](#)
[List of 40 Chemicals to Begin Prioritization Process](#)
[Changes to ECHO](#)
[Plan to Restructure Regional Offices to Standard Structure](#)
[Leavenworth PFAS Community Engagement Event \(Announcement\)](#)
[EPA transition to e-manifests](#)

Technical Information, Training, and Events

[Providing P2 and Zero Waste Training for Tribes Webinar](#)
[EPA Grant Proposal Webinars](#)
[Digital Accessibility for Air Agencies Webinar](#)
[EPA Grant Webinar](#)
[New EPA Grants Trainings Available](#)
[Ohio's New Permit Wizard Webinar](#)
[Free Book - Next Generation Compliance: Environmental Regulation for the Modern Era](#)
[EPA Tools & Resources Webinar-- Community and Citizen Science: Making Your Data Count](#)
[Management of End-Of-Life Solar Panels](#)
[Tool for Significant Noncompliance in Water Effluent Violations](#)
[EPA Tools & Resources Webinars-- Chemical Transformation Simulator: To Predict PFAS Metabolites and Environmental Transformation Products and Freshwater Explorer: Interactive Map of Water Quality](#)
[Clarifications Regarding Regional Haze State Implementation Plans for the Second Implementation Period](#)
[Addition of 1-Bromopropane \(1-BP\) to CAA List of Air Toxics Webinars](#)
[Non-Hazardous Secondary Materials Guide and May 2021 Federal Register](#)
[Sustainable Solutions for Craft Beverage Producers Webinar Series](#)
[Updated Tool to Help Communities Protect Recreational Waters](#)
[New Online Tools for NAAQS Nonattainment and Maintenance Areas](#)
[Webinar on Libby and Asbestos Health Emergency](#)
[Best Practices for Reducing Fugitive Emissions from Ammonia Refrigeration Systems Used in the Food and Beverage Sector](#)
[Long-Term Trends in Regional Wet Mercury Deposition and Lacustrine Mercury Concentrations in Four Lakes in Voyageurs National Park](#)
[Improved Modeling Tool to Estimate Health Effects from Chemicals](#)
[EPA Hazardous Waste Rule Fact Sheets](#)
[EPA Tools, Resources, and Guidance for Small Businesses and Low Emitters](#)
[Questions and Answers for Nine Metal Fabrication and Finishing Source Categories Area Source](#)
[NESHAP](#)
[Disaster Debris Recovery Tool; Zero Waste Wildfire Response Initiative; Buy Reused and Recycled Guidelines; Building Code Amendment on Lumber Reuse in King county, WA](#)
[Food waste, E-Waste, and Recycling News](#)
[SERDP and ESTCP Efforts on PFAS](#)
[Maine Marine Environmental Guide](#)
[Disinfectant Usage and COVID-19](#)
[OSHA Guidance on Respirators](#)
[Resources on TCE Alternatives](#)
[SCAQMD List of Certified Clean Air Solvents](#)
[Advance Program- Funding and Training Opportunities](#)
[New Content in Pollution Prevention 101 LibGuide](#)

[Generator Improvements Rule Webinars Posted](#)
[Videos on Lean](#)
[EPA Environmental Justice Training](#)
[Who's Minding the Store? Retailer Report Card and Chemical Footprint Project](#)
[Surface Coating Compliance Assistance Center](#)
[Advice on Salting Parking Lots](#)
[State Lean Strategies](#)
[PTE Determination—Topic for Upcoming Technical Sub-Committee Meeting](#)
[Information for Hospitals](#)

SBEAP Resources and Events

[Recycling, Reprocessing, and Battery Collection Funding Opportunity](#)
[Funding Opportunity for Regions Impacted by Natural Disasters](#)
[State SBEAP Facebook Page](#)
[New Climate Pollution Reduction Grant Program](#)
[Launch of OAQPS Small Business Assistance Program Website](#)
[Nominations for the National Environmental Justice Advisory Council of the EPA](#)
[Extensions for Generators Due to Incinerator Capacity Limitations](#)
[Technical Subcommittee CEDRI Training](#)
[Webinar-- Site Visit Checklists and Evaluations](#)
[Community Navigator Program Webinar](#)
[Webinar on Submission Process for Annual Report](#)
[Promotion Training on Webinars](#)
[ECHO Notify-- Personalized Notification Service for Various Environmental Programs](#)
[Funding Opportunity: Cumulative Health Impacts at the Intersection of Climate Change, Environmental Justice, and Vulnerable Populations/Lifestages](#)
[Sustainable Communities Web Challenge](#)
[Ohio EPA Sustainability Conference](#)
[Annual Training Planning](#)
[NH Resource on Hazardous Waste Determination](#)
[Sustainability Case Studies](#)
[SBEAP Metrics Webinar](#)
[Brewery Waste Resources](#)
[Title V Funding](#)
[Resource on Managing Hazardous Waste for Small Businesses Available in Multiple Languages](#)
[New Federal Requirements for PFAS](#)
[SBA National Ombudsman's Regulatory Fairness Hearing](#)
[SBA Roundtable: Chemical Data Reporting Revisions and Small Manufacturer Definition Update Under TSCA Section 8\(a\)](#)
[SBA Roundtable – Meet the New EPA Asst. Admin for OCSP](#)
[SBA Roundtable: Risk Evaluations Under TSCA and Airbag Waste Management](#)
[WOTUS Meeting for Small Entities](#)
[SBA WOTUS Forum](#)
[Office of Advocacy Environmental Roundtable—January 2019 \(Announcement\)](#)
[Proposed NPDES Applications and Program Updates](#)
[Census Bureau Tools](#)
[Small Business Environmental Roundtable \(Announcement\)](#)
[Smart Sectors](#)
[Regulatory Roundtable, Glen Allen Virginia \(Announcement\)](#)
[Highlighting high quality report from county in MD](#)
[Regulatory Roundtable, Boise and Couer d'Alene \(Announcement\)](#)

SBEAP News

[SBAR panel for the Other Solid Waste Incinerator Rule Nominees](#)
[Restarting a National Compliance Advisory Panel](#)
[NEWMOA Newsletter-- July 2022](#)
[Community Navigator Program](#)
[Autobody Outreach](#)
[Draft Michigan Environmental Justice Screening Tool \(MiEJScreen\)](#)
[Partnerships with Manufacturing Assistance Programs](#)
[Climate Action Challenge](#)
[SBA Roundtable on DOE's Process Rule](#)
[NSBEAP Comments on 6H Proposed Rule and Request to extend Comment Period](#)
[One Health Webinar Series](#)
[Environmental Justice Workgroup](#)
[Michigan Governor Proclaims May 2-8 2021 Small Business Week](#)
[Automotive Service Conference and 6H Review Group](#)
[Article on 6H Exemptions](#)
[Trade Association Newsletter Article on 6H Exemption](#)
[Revamping SQG Newsletter](#)
[IDEM Virtual Earth Day](#)
[National SBEAP Earth Day Playlist](#)
[EGLE Earth Day Video Playlist](#)
[NHDES Video on Reducing Toxins in Your Home](#)
[NH #OneThing4Earth Video Challenge Press Release](#)
[Nebraska Recycling Council Creates Community Toolkit for Municipalities](#)
[Request to Comment on Draft Curriculum Outlines for EPA/AAPCA](#)
[NH Video on Used Oil Management](#)
[SBTAP Video on Furniture Polish](#)
[KSU PPI 30th Anniversary](#)
[NH Promo Video Based on Radio Spot](#)
[Carbon Sequestering Concrete](#)
[Environmental Disruptors: Craft Brewed Sustainability](#)
[Reminder to Michiganans to Avoid Foam on Lakes and Rivers with High PFAS](#)
[TURI Updates: TCE Case Study, Flame Retardants in Gymnastics, Hygiene of Reusable Bags](#)
[Article on the Effects of Compliance Assistance over Enforcement](#)

Other News

[Association of Air Pollution Control Agencies Sharing Annual Report](#)
[ECOS Notes and Priorities](#)
[SBA Environmental Roundtable: Phasedown of Hydrofluorocarbons](#)
[DOE Fuel Engine Research on Cutting Emissions, Boosting Efficiency](#)
[Roundtable Discussion on Dry Cleaning Rulemaking](#)
[National Asbestos Awareness Week](#)
[Federal Interagency Committee on Indoor Air Quality Public Webinar](#)
[National Cannabis Industry Association's Environmental Sustainability Report](#)
[Video on Reducing Use of Thermal Papers](#)
[COVID-19 and Sewage](#)
[SBA Environmental Roundtable: Methylene Chloride and 1-Bromopropane](#)
[SBA Website on COVID-19 Assistance for Small Businesses](#)
[SBA Guidance for Small Businesses Affected by COVID-19](#)
[SBIR Road Tour](#)

[SBA Environmental Roundtable: Proposed NPDES Reissuance of Multi-Sector General Permit for Industrial Stormwater Discharges; EPA's Preliminary List of Manufacturers and the TSCA Fees Rule](#)
[Popular Small Business Data Publications from the Office of Advocacy Updated for 2019](#)
[SBA Environmental Roundtable on PBTs](#)
[GreenEarth Initiative to Reduce Microplastic Fiber Pollution](#)

Mary Yesko, KS Small Business Environmental Assistance Program: 7/28/2023

FYI: EPA has released an enhanced version, EJ Screen 2.2, of their environmental justice screening and mapping tool, incorporating new and useful features. Some of which include a new community report, an additional environmental indicator – Toxic Releases to Air, new health datasets, critical service gaps, and facility compliance data. While the main purpose of EJ screen is not to identify Environmental Justice (EJ) communities, a new map layer called Justice40 (CEJST) has been added under the places tab. This layer allows you to view areas that the Climate and Economic Justice Screening Tool (CEJST) dataset identifies as disadvantaged. Below are some related resources:

[Training Video \(July 5th\)](#) Presenters: Tai Lung and Matthew T. Lee

[Fact Sheet](#) – details what is new with 2.2

[Upcoming training](#) - The next training is on July 26, 2023 at 11 a.m. CST

Tony Pendola, NC Small Business Environmental Assistance Program: 7/24/2023

Forwarded message:

Issued: Jul 24, 2023 (9:01am EDT)

U.S. Environmental Protection Agency and U.S. Department of Energy Announce Intent to Fund Efforts to Reduce Methane Emissions from Oil and Gas Sector

Financial and technical assistance will support methane emissions leak reductions and monitoring in cooperation with states

WASHINGTON (July 24, 2023) – The U.S. Environmental Protection Agency (EPA), U.S. Department of Energy (DOE), and DOE’s National Energy Technology Laboratory (NETL) released a [notice of intent](#) announcing the first in a series of funding opportunities to monitor and reduce methane emissions, one of the biggest drivers of the climate crisis, from the oil and gas sector and for environmental restoration of well sites. Through a newly initiated Interagency Agreement, EPA and DOE will also partner to offer technical assistance to help companies monitor and reduce methane emissions from leaks and daily operations. Through this combination of technical and financial assistance, EPA and DOE will help reduce inefficiencies of U.S. oil and gas operations, create new jobs in energy communities, and realize near-term emission reductions. These funding opportunities are made possible by President Biden’s Inflation Reduction Act.

“The amount of methane emitted from oil and gas operations is enough to fuel millions of homes a year and is a major driver of the climate crisis,” said **Joe Goffman, Principal Deputy Assistant Administrator for EPA’s Office of Air and Radiation**. “These programs will help minimize that waste, a benefit for nearby communities and businesses alike.”

“Methane’s potency as a greenhouse gas makes targeted emissions reduction efforts essential to slow the rapid rate of climate change,” said **Brad Crabtree, Assistant Secretary of Fossil Energy and Carbon Management**. “These programs will help states and industry to accelerate methane monitoring and mitigation efforts, which will increase efficiency and reduce costs for oil and gas producers, while providing long lasting climate and health benefits to communities across the nation.”

As described in the notice of intent, EPA and DOE will provide up to \$350 million in formula funding to eligible states to assist industry to voluntarily identify and permanently reduce methane emissions from low-producing (marginal) conventional wells. These investments are expected to improve the economic competitiveness of small and medium-sized producers while reducing associated harmful air pollution, mitigating health effects in nearby communities, and creating jobs in energy communities. States also will be able to use a portion of their award for environmental restoration and to invest in their monitoring capacity for low-producing conventional wells, which will improve their ability to identify sources of methane emissions and to effectively prioritize their mitigation. NETL plans to issue the funding opportunity announcement later this summer.

Following this non-competitive solicitation, EPA and DOE intend to offer one or more additional competitive solicitations to monitor and mitigate methane emissions from the oil and gas sector, which will be available to a broader range of applicants. These subsequent funding opportunities are expected to advance the deployment of technologies and practices to monitor and reduce emissions of methane and other greenhouse gases. A separate financial assistance program for Tribal governments is also expected to be offered.

In addition to funding opportunities, through this collaboration, EPA and DOE will provide technical assistance to help states, industry, and other partners implement cost-effective solutions that reduce methane leak emissions. The agencies will support small and medium-sized producers that often lack the capital and expertise of the larger oil and gas companies and will work with partners to implement and prioritize best practices and mitigation decision-support tools across the broader oil and gas sector. This technical assistance will also ensure efforts are fully aligned with the needs of local communities and help inform key decision-makers of mitigation opportunities across states, industry, and other partners.

About the Methane Emissions Reduction Program

The Methane Emissions Reduction Program, created by the Inflation Reduction Act, provides \$1.55 billion in funding, including financial and technical assistance to improve methane monitoring and reduce methane and other greenhouse gas (GHG) emissions from the oil and gas sector with the co-benefit of reducing non-GHG emissions such as volatile organic compounds and hazardous air pollutants. The program allows financial and technical assistance for a number of activities, including: preparing and submitting greenhouse gas reports, monitoring methane emissions, and reducing methane and other greenhouse gas emissions by improving and deploying equipment, supporting innovation, permanently reducing wasteful methane emissions from low-producing conventional wells, mitigating health effects in low-income and disadvantaged communities, improving climate resiliency, supporting environmental restoration, and mitigating legacy air pollution.

[More information on Notice of Intent No. DE-FOA-0003108](#)

[More information on the Methane Emissions Reduction Program](#)

Nancy Larson, KS Small Business Environmental Assistance Program: 7/19/2023

Forwarded message:

***** SBA Environmental Roundtable Meeting *****
WEDNESDAY, August 2, 2023, 2 p.m. – 3 p.m. EDT

Via Microsoft Teams Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 2 p.m. on August 2, 2023. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:30 AM EPA's Proposed Risk Management of Perchloroethylene Under the Toxic Substance Control Act (TSCA)

Caffey Norman, Halogenated Solvents Industry Alliance (HSIA)

10:30 AM – 11:00 AM Discussion

**** Roundtable meetings are open to all interested persons and are intended to facilitate an open and frank discussion about issues of interest to small business. These meetings are off the record and not intended for press purposes. Direct quotations of presenters or attendees may not be used without direct written approval of the person(s) making the statement. All press inquiries should be sent to david.tokarz@sba.gov. Agendas and presentations are available to all. ****

Small Business Environmental Roundtable

Issue for Discussion

August 2, 2023

EPA's Proposed Risk Management of Perchloroethylene under TSCA

On June 16, 2023, EPA published a proposed rule to restrict the use of perchloroethylene (PCE) under the Toxic Substances Control Act (TSCA). PCE is used as a solvent in a wide range of occupational and consumer applications including fluorinated compound production, petroleum manufacturing, dry cleaning, and aerosol degreasing. TSCA requires that EPA address any unreasonable risk of injury to health or the environment so that the chemical no longer presents unreasonable risk. EPA evaluated 61 conditions of use of PCE and determined that all but one (i.e., distribution in commerce) present an unreasonable risk of injury to health for workers and consumers. Based on these risk determinations, EPA is proposing to prohibit most industrial and commercial uses of PCE, as well as its use in dry cleaning through a 10-year phaseout. EPA is also proposing to ban PCE for consumer use. For the remaining uses, EPA is proposing to require a workplace chemical protection program, which would include a requirement to meet an existing chemical exposure limit set by EPA, and to prevent direct dermal contact. EPA is also proposing prescriptive workplace controls for laboratory use requirements and recordkeeping and downstream notification requirements. Additionally, EPA includes certain time-limited exemptions for certain critical or essential emergency uses of PCE for which no technically and economically feasible safer alternative is available. The public comments are due by August 15, 2023.

First, Caffey Norman, on behalf of Halogenated Solvents Industry Alliance (HSIA), will present on the proposed rule, including an overview of issues particularly relevant to small businesses. There will be an opportunity for questions, as well as discussion. Perspectives from all affected small entities are welcome.

Speaker Bio: W. Caffey Norman

Caffey Norman is an attorney with an environmental practice that is focused on the regulation of hazardous chemicals by the Environmental Protection Agency, the Occupational Safety and Health Administration, the Consumer Product Safety Commission, and various state regulatory agencies. Mr. Norman participated, on behalf of HSIA, in EPA rulemakings to regulate hazardous substances under all the environmental statutes and has initiated legislative and judicial review of a number of EPA regulations. HSIA represents producers and users of PCE. Many of HSIA's user members include small businesses. HSIA participated on the small business advocacy review panel convened for this proposed rulemaking by assisting small entity representatives in providing advice and recommendations to EPA on its potential regulation for the use of PCE.

Nancy Larson, KS Small Business Environmental Assistance Program: 7/19/2023

Forwarded message:

Today the U.S. Environmental Protection Agency (EPA) proposed amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel (II&S) Manufacturing Facilities. II&S manufacturing includes the following processes: sinter production, iron production, iron preparation (hot metal desulfurization), and steel production. The iron production process includes the production of iron in BF's by the reduction of iron-bearing materials with a hot gas. The steel production process includes BOFs and ladle metallurgy operations. These facilities produce steel from iron ore pellets, coke, metal scrap, and other raw materials using furnaces and other processes. There are nine II&S Manufacturing facilities (one is idle), owned by two entities.

Interested parties can download a copy of the proposed rule notice from EPA's website at the following address: <https://www.epa.gov/stationary-sources-air-pollution/integrated-iron-and-steel-manufacturing-national-emission>

Please note the Agency is currently experiencing intermittent outages so some web content may be unavailable.

Nancy Larson, KS Small Business Environmental Assistance Program: 6/20/2023

On June 12, 2023, the U.S. Department of Energy (DOE) announced a \$125 million Recycling, Reprocessing, and Battery Collection funding opportunity authorized by the Bipartisan Infrastructure Law to grow and secure America's battery supply chain. Eligible applicants include institutions of higher education, for-profit entities, state and local governmental entities, and Tribal Nations. Concept papers are due August 17, 2023, and the deadline for full applications is November 29, 2023. See DOE's announcement forwarded below to learn more about this funding opportunity.

***Biden-Harris Administration Announces \$192 Million to Advance Battery Recycling Technology
President Biden's Investing in America Agenda Invests in R&D to Lower Costs of Consumer Battery
Recycling That Will Support a Strong Domestic Critical Materials Supply Chain***

Today, the U.S. Department of Energy (DOE) announced more than \$192 million in new funding for recycling batteries from consumer products, launching an advanced battery research and development (R&D) consortium, and the continuation of the Lithium-Ion Battery Recycling Prize, which began in 2019. With the demand for electric vehicles (EVs) and stationary energy storage projected to increase the lithium battery market by as much as ten-fold by 2030, it is essential to invest in sustainable, reduced-cost recycling of consumer batteries in support of a secure, resilient, and circular domestic supply chain for critical materials. Today's announcement supports the Biden-Harris Administration's goal to have EVs make up half of all vehicle sales in America by 2030 and builds on the nearly \$3 billion announced to date from President Biden's Bipartisan Infrastructure Law for EV and battery technologies.

"The United States is leading the way in developing advanced battery technologies that will power our clean energy future and boost our global competitiveness," said **U.S. Secretary of Energy Jennifer M. Granholm**. "Thanks to President Biden's Investing in America agenda, these investments in battery production and recycling will ensure the U.S. has a secure and sustainable domestic supply chain and strengthens our economy."

As of April 2023, more than 3.6 million plug-in electric vehicles have been sold in America, with more than half of those sold since President Biden took office. Battery costs have fallen more than 90% since 2008, and energy density and performance have increased rapidly.

President Biden's Investing in America agenda is growing the American economy from the bottom up and middle-out – from rebuilding our nation's infrastructure, to creating a manufacturing and innovation boom powered by good-paying jobs that don't require a four-year degree, to building a clean-energy economy that will combat climate change and make our communities more resilient.

Consumer Electronics Battery Recycling Funding Opportunity

DOE's \$125 million Consumer Electronics Battery Recycling, Reprocessing, and Battery Collection funding opportunity is an essential part of the \$7 billion authorized by the Bipartisan Infrastructure Law to grow and secure America's battery supply chain. Topic areas funded through this opportunity will:

- Develop and implement education and/or behavior change campaigns to increase participation by consumers in existing battery recycling programs,
- Improve the economics of recycling consumer electronics batteries to spur greater market demand for battery recycling,
- Assist states and local governments in establishing or enhancing battery collection, recycling, and reprocessing programs,
- Help retailers implement programs to collect, sort, store, and transport consumer electronics batteries.

Projects selected for this funding must advance diversity, equity, inclusion, and accessibility; contribute to energy equity; and invest in America's workforce. This funding – which will be administered by DOE's [Vehicle Technologies Office](#) and [Office of Manufacturing and Energy Supply Chains](#) – supports goals and targets detailed in the Federal Consortium for Advanced Batteries' (FCAB) [National Blueprint for Lithium Batteries](#).

Learn more about this funding opportunity [here](#). Concept papers are due August 17, 2023, and the deadline for full applications is November 29, 2023.

Advanced Battery R&D Consortium

The rapid growth of EV manufacturing and adoption across vehicle classes will require new solutions for challenges associated with raw materials and critical minerals. Substantial R&D is required for new or alternative battery chemistries that can achieve lower cost and use more abundant materials.

The Advanced Battery R&D Consortium funding opportunity will provide up to \$60 million to convene major manufacturers of electric drive vehicles in the U.S., universities, National Laboratory partners, mineral and material suppliers, and other key battery stakeholders to address critical battery needs for the next phase of widescale EV commercialization.

The consortium seeks to advance battery R&D that is relevant and responsive to the needs of EV manufacturers, and to further develop a domestic battery supply chain and recycling capabilities that are essential to meeting the rapidly growing demand for EV batteries. The consortium will be integral to DOE's efforts to develop advanced transportation technologies that will help decarbonize the transportation sector and significantly reduce the nation's dependence on foreign oil.

Applications must include a community benefits plan that addresses how diversity, equity, and inclusion objectives will be incorporated. Applications for [this funding opportunity](#) are due by September 8, 2023.

The Lithium-Ion Battery Recycling Prize

First launched in January 2019, the Battery Recycling Prize has to date awarded \$5.5 million for innovative solutions to collecting, sorting, storing, and transporting spent and discarded lithium-ion batteries. In recognition of its ongoing importance in informing larger battery recycling efforts, DOE is announcing \$7.4 million to fund a new Breakthrough Contest, as well as Phase IV of the Prize.

The Breakthrough Contest will incentivize the development of solutions that meet the overall Battery Recycling Prize goal. The Breakthrough Contest is open to industry entrepreneurs – including new or former Prize participants – and will bolster participation from new competitors while providing additional support to [Phase III winning teams](#). Phase IV: Demonstration of Impact will challenge participants to prove how effectively their solutions contribute to moving spent or discarded batteries from consumers to recyclers across all commercial uses.

The [Battery Recycling Prize](#) incentivizes American entrepreneurs to develop and demonstrate technologies that, when scaled, have the potential to profitably capture 90% of all discarded or spent lithium-based batteries in the United States for recovery of key materials for re-introduction into the U.S. supply chain.

Learn more about the [Vehicle Technologies Office](#) and the [Office of Manufacturing and Energy Supply Chains](#).

Nancy Larson, KS Small Business Environmental Assistance Program: 6/19/2023

Forwarded message:

We want to tell you about a webinar we're having to close out a 2-year project funded by the Washington Department of Ecology to provide two types of training to Tribes in the state of Washington.

One training is a combination of Pollution Prevention and Zero Waste training and including Green Purchasing. We worked a long time on this curriculum and kept scaling back the content and adding more activities. We're happy with the result and would love to share it with you.

The second training is on implementing a Fats, Oils, and Grease Abatement program for the wastewater treatment folks. This training was also changed considerably to accommodate the situation of the individual Tribes.

We learned a LOT about providing training to Tribes and about outreach to them. We hope you'll participate in the webinar so we can share our new curriculum and lessons learned with you.

<https://www.pprc.org/events/combined-p2-and-zero-waste-training-lessons-learned-with-tribes>

Leena Divakar, KS Small Business Environmental Assistance Program: 6/9/2023

Forwarded message:

EPA Proposes Ban on All Consumer and Many Commercial Uses of Perchloroethylene to Protect Public Health

Strict workplace safety requirements would allow for numerous key uses to continue

WASHINGTON (June 8, 2023) - Today, the U.S. Environmental Protection Agency (EPA) announced another action to protect public health under the Toxic Substances Control Act (TSCA), proposing a ban on most uses of [perchloroethylene \(PCE\)](#), a chemical known to cause serious health risks such as neurotoxicity and cancer. Today's proposal would protect people from these risks by banning all consumer uses while allowing for many industrial/commercial uses to continue only where strict workplace controls could be implemented, including uses related to national security, aviation and other critical infrastructure, and the Agency's efforts to combat the climate crisis.

"We know that exposure to PCE is dangerous for people's health, and today's rule is an important first step to keeping communities and workers safe," **said Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff**. "We've proposed to ban the uses we know can't continue safely, and we've made sure that stringent controls are in place to protect workers for the uses that remain."

PCE is a solvent that is widely used for consumer uses such as brake cleaners and adhesives, commercial applications such as dry cleaning, and in many industrial settings. For example, PCE is used as a chemical intermediate in the production of two chemical substances regulated under the American Innovation and Manufacturing Act. This rule proposes to allow for continued processing of PCE to manufacture hydrofluorocarbons (HFC)-125 and HFC-134a in tandem with strict workplace controls, as the two can be mixed with other substances to make more climate-friendly refrigerants. Additionally, the rule proposes to continue to allow the industrial and commercial use of PCE in petrochemical manufacturing, the manufacture of coatings for aircraft skins, and vapor degreasing with PCE to make aerospace parts and engines, as examples of other uses not proposed for prohibition.

EPA determined that PCE presents unreasonable risk to health, driven by risks associated with

exposure to the chemical by workers, occupational non-users (workers nearby but not in direct contact with this chemical), consumers, and those in close proximity to a consumer use. EPA identified risks for adverse human health effects, including neurotoxicity from inhalation and dermal exposures as well as cancer effects from chronic inhalation exposure. While EPA identified potential risks to fence-line communities in a small number of instances, the prohibitions and other requirements in EPA's proposed rule are expected to mitigate to a great extent the potential risks to the neighboring communities.

EPA's proposed risk management rule would rapidly phase down manufacturing, processing and distribution of PCE for all consumer uses and many industrial and commercial uses, most of which would be fully phased out in 24 months. The uses subject to the proposed prohibitions represent less than 20% of the annual production volume of PCE. For most of the uses of PCE that EPA is proposing to prohibit, EPA's analysis also found that alternative products with similar costs and efficacy to PCE are reasonably available.

EPA is proposing a 10-year phaseout for the use of PCE in dry cleaning, with compliance dates depending on the type of machine in which PCE is used. The proposed phaseout of PCE in dry cleaning would eliminate unreasonable risk for people who work at or spend considerable time at dry cleaning facilities. This phaseout period would provide dry cleaners, many of which are small businesses, time to transition to an alternative process, and stakeholders have already noted an overall year-to-year decline in the use of PCE in dry cleaning. In addition, [President Biden's Fiscal Year 2024 budget request](#) proposed funding for new pollution prevention grants that would support small businesses with transitioning to TSCA compliant practices and mitigate economic impacts. If implemented, these grants could be used to support small businesses like dry cleaners in their transition away from PCE.

For the industrial manufacturing, industrial processing and other uses of PCE that EPA is not proposing to prohibit, EPA is proposing a workplace chemical protection program with a strict inhalation exposure limit and requirements to prevent skin exposure to ensure protection for workers. EPA has received data from industry that indicate many workplaces already have controls in place that may reduce exposures sufficient to meet the inhalation exposure limit in the proposed rule or to prevent direct skin contact with PCE.

EPA encourages members of the public to read and comment on the proposed rule. EPA is especially interested in hearing perspectives on the feasibility and efficacy of the proposed requirements for worker protections from entities that would be required to implement the proposed program and the timeline for the phaseout of PCE use in dry cleaning. In the coming weeks, EPA will host a public webinar targeted to employers and workers, but useful for anyone looking for an overview of the proposed regulatory action to discuss the proposed program. The date, time and registration information will be announced soon. EPA will accept public comments on the proposed rule for PCE for 60 days following publication in the Federal Register via docket EPA-HQ-OPPT-2020-0720 at www.regulations.gov.

[Learn more about today's proposal.](#)

Nancy Larson, KS Small Business Environmental Assistance Program: 6/7/2023

Forwarded message:

***** SBA Environmental Roundtable Meeting *****

WEDNESDAY, June 21, 2023, 10 a.m. – 11 a.m. EDT

Via Microsoft Teams Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on June 21, 2023. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:30 AM **EPA’s Proposed Risk Management of Methylene Chloride Under the Toxic Substance Control Act (TSCA)**
Caffey Norman, Halogenated Solvents Industry Alliance (HSIA)

10:30 AM – 11:00 AM **Discussion**

**** Roundtable meetings are open to all interested persons and are intended to facilitate an open and frank discussion about issues of interest to small business. These meetings are off the record and not intended for press purposes. Direct quotations of presenters or attendees may not be used without direct written approval of the person(s) making the statement. All press inquiries should be sent to david.tokarz@sba.gov. Agendas and presentations are available to all. ****

Small Business Environmental Roundtable Issue for Discussion June 21, 2023

EPA’s Proposed Risk Management of Methylene Chloride under TSCA

On May 3, 2023, EPA published a proposed rule to restrict the use of methylene chloride under the Toxic Substance Control Act (TSCA). Methylene chloride is used as a solvent in a wide range of industrial, commercial and consumer applications. TSCA requires that EPA address any unreasonable risk of injury to health or the environment identified in a TSCA risk evaluation. EPA must apply requirements to the extent necessary so that the chemical no longer presents unreasonable risk. EPA evaluated 53 conditions of use of methylene chloride and determined that 47 conditions of use present an unreasonable risk of injury to health for workers and consumers. Based on these risk determinations, EPA is proposing to prohibit the manufacture, processing, and distribution in commerce of methylene chloride for consumer use. EPA is also proposing to prohibit most industrial and commercial uses of methylene chloride. For the remaining uses, EPA is proposing to require a workplace chemical protection program, which would include a chemical exposure limit, set by EPA, and exposure monitoring. The proposal also includes time-limited exemptions for uses of methylene chloride that would otherwise significantly disrupt national security and critical infrastructure. The public comments are due on July 3, 2023.

First, Caffey Norman, on behalf of HSIA, will present on the proposed rule including an overview of issues particularly relevant to small businesses. There will be an opportunity for questions, as well as discussion. Perspectives from all affected small entities are welcome.

Speaker Bio: W. Caffey Norman

Caffey Norman is an attorney with an environmental practice that is focused on the regulation of hazardous chemicals by the Environmental Protection Agency, the Occupational Safety and Health Administration, the Consumer Product Safety Commission, and various state regulatory agencies. Mr. Norman participated, on behalf of HSIA, in EPA rulemakings to regulate hazardous substances under all the environmental statutes and has initiated legislative and judicial review of a number of EPA regulations. HSIA represents producers and users of methylene chloride. Many of HSIA's user members include small businesses. HSIA participated on the small business advocacy review panel convened for this proposed rulemaking, to assist small entity representatives in providing advice and recommendation to EPA on its potential regulation for the use of methylene chloride.

Donovan Grimwood, Small Business Environmental Assistance Program: 5/26/2023

The SBA Office of Advocacy has reached out to me to ask for us to see if we can get more small entity representatives to nominate to be part of the Small Business Advocacy Review (SBAR) panel for the Other Solid Waste Incinerator rule. In addition to any small businesses, the Office of Advocacy would like some hospitals and universities to be included. Overall, currently the list of those that have nominated is fairly limited and to get a better comprehensive group, more representatives are needed.

Nominees can email David Rostker at David.Rostker@sba.gov and also RFA-SBREFA@epa.gov. Subject line should be SER Self-Nomination for OSWI NSPS and EG. Information to include is as follows:

Name:

Representing:

Size of business or organization:

Address:

Contact Information:

Any additional information that may be relevant in order to indicate how the OSWI rule may impact the business or organization's members and why that nominee is a good fit for the SBAR panel.

Nancy Larson, KS Small Business Environmental Assistance Program: 5/25/2023

If you are new to writing grant proposals you maybe interested in these EPA webinars.

Procurement, Subawards, and Participant Support Costs

June 27, 2023

This training covered procurement regulations and requirements. Specific topics included:

- Best practices for contracts, consultants, equipment, and supply purchases
- Review of subawards (grant awards provided by a pass-through entity to a subrecipient)
- Participant support costs (payments to individuals who participate in grant activities but are not employees of the grant recipient)

Training for EPA Pass-Through Grant Applicants, Recipients, and Subrecipients

June 20, 2023

This training was intended for EPA grant applicants and recipients that plan to use EPA funding to provide grants to other entities through "subawards." This type of EPA grant recipient is considered a pass-through entity because the goal of the grant is to further award EPA funds. This training focused on:

- Oversight responsibilities of EPA pass-through entities
- Federal regulations that govern pass-through entities and the recipients of subawards (subrecipients)
- EPA's specific requirements for subrecipients

EPA pass-through entities are encouraged to share this training information with their subrecipients.

Competition Process

June 13, 2023

This webinar was intended to help grant applicants learn how to find and successfully apply for competitive EPA grants. EPA also provided an overview of the competition process from application through evaluation and selection.

Nancy Larson, KS Small Business Environmental Assistance Program: 5/17/2023

Forwarded message:

Report on the Regulatory Flexibility Act, FY 2022

As the voice of small business in government, the Office of Advocacy is working diligently to bring small businesses' voices into the regulatory process. Advocacy's efforts at ensuring federal agency compliance with the Regulatory Flexibility Act (RFA) resulted in ongoing conversations and changes to rules that reduced the regulatory burden for small businesses.

Advocacy's "Report on the Regulatory Flexibility Act, FY 2022," provides details on those efforts. In FY 2022, Advocacy submitted 37 formal comment letters to regulatory agencies, representing significant efforts by the office to serve as a watchdog for the RFA.

In addition, Advocacy has worked tirelessly to bring small businesses and policymakers together. These efforts included 30 issue roundtables and RFA trainings to 257 federal officials in 10 agencies throughout FY 2022.

The "[Report on the Regulatory Flexibility Act, FY 2022](#)" is available on Advocacy's website.

Tony Pendola, NC Small Business Environmental Assistance Program: 5/11/2023

Here's another really informative and comprehensive look at accessibility from an AAPCA webinar yesterday.

Thank you for attending AAPCA's webinar, "Digital Accessibility for Air Agencies," held on Wednesday, May 10.

Attached and below, please find copies of the presentations given as well as a resource guide created by our speakers.

- "[Accessible Information & Communication Technologies \(ICT\)](#)" – *Jimmy Brown, Kentucky Office of Vocational Rehabilitation*
- "[Digital Accessibility for Air Agencies: Legal Considerations](#)" – *Jessie Weber, Brown, Goldstein & Levy*
- "[Digital Accessibility: Kentucky Division for Air Quality's Journey](#)" – *Roberta Burnes, Kentucky Division for Air Quality*
- "[Digital Accessibility: Training Considerations for Air Agencies](#)" – *Zac Adelman, Lake Michigan Air Directors Consortium (LADCO)*
- [Resources for Document Accessibility](#)

Upon request, AAPCA can provide a certificate of attendance or full audio transcript for the webinar. Please email questions, requests, or feedback to mdickie@csg.org.

Nancy Larson, KS Small Business Environmental Assistance Program: 5/10/2023

EPA Grants What to Expect When You're Expecting... a Grant Webinar

EPA's Office of Grants and Debarment is pleased to confirm that materials from the EPA Grants What to Expect When You're Expecting... a Grant Webinar held on March 29, 2023, are now available on the [EPA Grants What to Expect When You're Expecting... a Grant Webinar webpage](#):

- Recording of the webinar with closed captions

- Helpful web links from the presentation
- A list of Questions & Answers based on questions submitted by attendees during the webinar
- Presentation slides in PDF format

If you have questions about the posted materials or need more information on EPA grants, please email EPA_Grants_Info@epa.gov.

Thank you for your interest in EPA's grants programs.

Tony Pendola, NC Small Business Environmental Assistance Program: 5/9/2023

Here is the new draft document from EPA about roles with states regarding enforcement. I noticed that EPA may take the lead when: "Actions to advance important national policy priorities. In addition to NECIs, EPA may have overarching national policy priorities and goals where compliance and enforcement actions by EPA may be needed (e.g., lead contamination and **environmental justice**)."

[draft EPA-OECA 2023 Partnership Policy April 25 2023 ECOS review.docx \(dropbox.com\)](#)

Nancy Larson, KS Small Business Environmental Assistance Program: 5/4/2023

I hope some of you are able to submit proposals for the many RFA's out there! If you are, you may find these training helpful!

New EPA Grants Trainings Available!

EPA's Office of Grants and Debarment is pleased to announce the availability of several new and updated training resources for grant applicants and recipients.

- NEW—Learn how to [Register in SAM.gov and Grants.gov](#) to apply for EPA grants. This webpage will help you register your organization in SAM.gov, create an applicant profile in Grants.gov, and get familiar with using Workspace.
- The [How to Develop a Budget training](#) was recently updated. This course will help you prepare work plans, budgets, and budget narratives for EPA grants.
- The [EPA Grants Management Training for Applicants and Recipients](#) course introduces key aspects of the grant life cycle starting with preparing an application through closing out a grant. The six modules can be completed individually.

Reminder: Stay tuned to [EPA's Grants Webinars](#) schedule to register for upcoming webinars and access recordings, helpful links, and FAQs.

If you have any questions regarding these trainings or have suggestions for new training or webinar topics, please send an email to EPA_Grants_Info@epa.gov.

Jennifer Wittenburg, IA Air Emissions Assistance Program: 5/1/2023

There are upcoming national listening sessions for the Methane Emissions Reduction Program technical and financial assistance (part of the Inflation Reduction Act). One of the listening sessions is for Industry, Small Businesses, and Labor Groups. The public can share their comments on the design of the \$1.55B financial and technical assistance provisions. More information below.

Also, a link to the [Methane Emissions Reduction Program website](#).

The U.S. Environmental Protection Agency (EPA) is pleased to announce upcoming virtual listening sessions for financial and technical assistance provisions of the Methane Emissions Reduction Program, a new \$1.55 billion program authorized by the Inflation Reduction Act, which aims to accelerate the reduction of methane and other greenhouse gas emissions from oil and gas systems. The Methane Emissions Reduction Program will reduce methane emissions by offering financial assistance, which may include grants, rebates, contracts, and loans, and technical assistance to a broad range of eligible recipients, with at least \$700 million used for activities at marginal conventional wells. During these listening sessions, EPA will provide interested parties an opportunity to offer feedback on program design and best use of funds with a focus on near-term, high-priority activities.

Listening Session Details

The Methane Emissions Reduction Program virtual listening sessions will be held via Zoom on May 2, 3, and 9. All are welcome to attend. Specific session times and topics are as follows:

- Tuesday, May 2, 4:00 - 6:00 PM ET: Listening Session for General Audiences
- Wednesday, May 3, 1:00 - 3:00 PM ET: Listening Session for State and Local Governments
- Wednesday, May 3, 4:00 - 6:00 PM ET: Listening Session for Non-Governmental Organizations, Community and Environmental Justice Groups
- Tuesday, May 9, 1:00 - 3:00 PM ET: Listening Session for Tribal Governments
- Tuesday, May 9, 4:00 - 6:00 PM ET: Listening Session for Industry, Small Businesses, and Labor Groups

The virtual listening sessions will provide the public an opportunity to share comments on the design and implementation of the financial and technical assistance. Those interested in making oral comments must register in advance for a 3-minute speaking slot. Interpretation and disability access support will be provided if requested in advance. Registration for the listening sessions can be found on EPA's website at: <https://www.epa.gov/inflation-reduction-act/forms/methane-emissions-reduction-program-listening-sessions>

We hope you will be able to join us for one of these important listening sessions!

Tony Pendola, NC Small Business Environmental Assistance Program: 4/27/2023

FYI

EPA Proposes New Standards to Protect Public Health, Reduce Exposure to Ethylene Oxide Pollution

On April 11, 2023, the U.S. Environmental Protection Agency (EPA) announced proposed new nationwide protections to reduce risks from Ethylene Oxide (EtO), including reducing the amount of EtO that facilities can emit into the outdoor air and additional protections for community members and workers.

If finalized, EPA's proposals are estimated to cut EtO emissions to the air from commercial sterilization facilities by 80% per year and apply more protective standards to control those emissions under the law. Together, these proposals will provide a comprehensive approach to addressing EtO pollution concerns, including cancer risk, that will increase safety in communities and for workers while providing a path to maintain a robust supply chain for sterilized medical equipment.

The proposal advances President Biden's commitment to ending cancer as we know it as part of the Cancer Moonshot and the Administration's commitment to securing environmental justice and protecting public health, including for communities that are most exposed to toxic chemicals. Additional information is available in the [press release](#) and on the [EtO website](#).

Upcoming EPA Activities

EPA will be holding a national webinar about these two proposals on May 1, 2023 at 8 PM eastern. All are invited. A recording of the webinar will be posted on EPA's website for those who cannot attend. EPA will also be holding virtual public hearings on the Clean Air Act proposal on May 2-3, 2023. Those wishing to provide oral testimony will be given a time slot to speak. Information about how to provide written comments is below. For more information about these proposals and how to register for these events, please visit <https://www.epa.gov/eto>

How to Provide Written Comments on these Proposals

Clean Air Act Proposal

- Comments on the Clean Air Act proposed rule should be identified by Docket ID: EPA-HQ-OAR-2019-0178 and may be submitted by one of the following methods:

- Online: Go to www.regulations.gov and follow the instructions for submitting your comments.
- E-mail: Send comments by email to a-and-r-docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2019-0178. Please include the docket number in the subject line of your email message.
- Fax: You may fax your comments to: (202) 566-9744, Attention Docket ID. No. EPA-HQ-OAR-2019-0178.
- Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mail Code 28221T, Attention Docket ID No. EPA-HQ-OAR-2019-0178, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.
- Hand delivery/courier delivery: EPA Docket Center, Room 3334, EPA WJC West Building, 1301 Constitution Ave., NW, Washington, D.C. 20004, Attention Docket ID No. EPA-HQ-OAR-2019-0178. Please note that hand/courier deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

FIFRA Proposal

- Comments on the proposed interim decision and/or the draft risk assessment addendum should be identified by Docket ID: EPA-HQ-OPP-2013-0244 and may be submitted by one of the following methods:
 - Online: Go to www.regulations.gov and follow the instructions for submitting your comments.
 - Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mail Code 28221T, Attention Docket ID No. EPA-HQ-OPP-2013-0244, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.
 - Hand delivery/courier delivery: EPA Docket Center, Room 3334, EPA WJC West Building, 1301 Constitution Ave., NW, Washington, D.C. 20004, Attention Docket ID No. EPA-HQ-OPP-2013-0244. Please note that hand/courier deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Next Week: National Webinar about EPA Actions to Address EtO and Multi-Day Public Hearing on Commercial Sterilizer Proposal

On Monday, May 1, 2023 at 8PM eastern, the US Environmental Protection Agency is holding an informational webinar to discuss proposed actions to reduce exposure to ethylene oxide from commercial sterilization facilities and healthcare facilities. Thank you to the more than 600 people who have already registered. This webinar is an opportunity for you to get more information about EPA's actions and learn how you can participate in the regulatory process. For those who have already registered, we will be emailing the link to the May 1st webinar from eto@epa.gov on Monday. If you have not registered and would like to do so, please visit <https://www.epa.gov/hazardous-air-pollutants-ethylene-oxide/forms/ethylene-oxide-eto-public-webinars#register>

While the webinar is a chance for you to hear from us, we also want to hear from you. If you would like to provide comments on the proposed air toxics rule for EtO commercial sterilizers, EPA is holding a multi-day virtual public hearing from May 2-3, where you can present oral testimony on this important proposed rule. You may register at: <https://survey.alchemer.com/s3/7303215/EPA-Public-Hearing-Ethylene-Oxide-Sterilizers>.

EPA will also be offering public hearing speaking slots on May 4th on a first-come, first serve basis. More information about this "virtual walk-in" public hearing option on May 4th will be available at <https://www.epa.gov/hazardous-air-pollutants-ethylene-oxide> in the coming days. All speakers at the public hearing will have 4 minutes to provide comments. We are interested in your feedback and encourage you to participate.

Nancy Larson, KS Small Business Environmental Assistance Program: 4/24/2023

All or most of the SBEAPs should be eligible for this funding (the new P2 funding discussed at Annual Training too), so please take a look if interested.

EDA Announces Notice of Funding Opportunity for Regions Impacted by Natural Disasters

EDA is now accepting applications through the [FY2023 Disaster Supplemental Funding Notice of Funding Opportunity](#). The awards are designed to support those regions impacted by Hurricanes Ian and Fiona, wildfires, flooding and other natural disasters (2021-2022).

The awards made under this NOFO are designed to address economic challenges in those areas where a Presidential declaration of a major disaster has been issued. Funding will help communities devise and implement long-term economic recovery strategies through a variety of construction and non-construction projects.

Eligible applicants include Tribal nations, non-profit organizations, colleges and universities, district organizations of an [Economic Development District \(EDD\)](#), and state, county or city subdivisions engaged in economic or infrastructure activities. Individuals and for-profit entities are not eligible for funding under this NOFO.

For more information, visit EDA's [Disaster Recovery Program](#).

Nancy Larson, KS Small Business Environmental Assistance Program: 4/20/2023

Last call on ETO

***** Office of Advocacy Small Business Environmental Roundtable *****

TUESDAY, April 25, 2023, 10 a.m. – 11:30 a.m. EDT

Via Microsoft Teams Meeting

The next U.S. Small Business Administration Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on April 25, 2023. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:30 PM Proposed NESHAP for Ethylene Oxide Emissions Standards for Commercial Sterilization Operations: Residual Risk and Technology Review

Jonathan Witt, EPA Office of Air and Radiation

10:30 AM – 11:00 AM Ethylene Oxide Proposed Interim Registration Review Decision

Jessie Bailey, Chemical Review Management, EPA Office of Pesticide

Programs

Eric Miederhoff, Branch Chief, EPA Office of Pesticide Programs

11:00 AM – 11:30 AM Q&A and Discussion

**** Roundtable meetings are open to all interested persons and are intended to facilitate an open and frank discussion about issues of interest to small business. These meetings are off the record and not intended for press purposes. Direct quotations of presenters or attendees may not be used without direct written approval of the person(s) making the statement. All press inquiries should be sent to Stephanie.Fekete@sba.gov. Agendas and presentations are available to all. ****

Office of Advocacy Small Business Environmental Roundtable

Issues for Discussion
April 25, 2023

Ethylene Oxide in Commercial Sterilization Operations

Ethylene Oxide is used on half of the sterilized medical devices in the United States. However, since 2016, when EPA updated its Integrated Risk Information System classification of ethylene oxide (EtO) as a carcinogen, EPA has been considering more stringent standards for the use of EtO and emissions of EtO from a range of industrial facilities.

On April 13, 2023, EPA published proposals under two separate programs that would significantly impact the use of EtO in commercial sterilization operations: emission standards under the Clean Air Act, and restrictions on use under Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Comments on both proposals are due on June 12, 2023.

EPA will present on these actions. There will be an opportunity for questions, as well as discussion. Perspectives from small commercial sterilization operations as well as small medical device manufacturers are welcome.

Donovan Grimwood, Small Business Environmental Assistance Program: 4/6/2023

Per the NSC Strategy, there has been the request for restarting a National Compliance Advisory Panel (National CAP). To that end, I am requesting interested people to form a workgroup to help develop ideas for the National CAP that would then be relayed to the NSC.

Some of the goals of the workgroup:

1. Determine the form of the National CAP – number of members, term limits, charter?, how much it might mirror a state CAP, regional requirements or not
2. Determine the goals and function of the National CAP – Advocacy for SBEAPs and SB, review of comments or not, connections and networking?
3. Suggest people to approach to be on the National CAP once the overall structure is determined, how to approach them
4. Other ideas I overlooked

If you are interested in working to bring back the National CAP, please let Chris and I know and we can start looking at the next step, which would be the initial meeting of the workgroup to start hammering out the details.

Donovan Grimwood, Small Business Environmental Assistance Program: 3/27/2023

Thank you to everyone that was able to make it to the 2023 Annual Training in Stateline, Nevada, around beautiful Lake Tahoe. I hope that everyone there felt energized and received great information. Thank you to Chris Lynch and the Nevada team for hosting and everyone on the Annual Planning Training Committee that put together such a great and packed agenda. Congratulations to our award winners for being the shining example that the rest of us aspire to.

I and several others have posted pictures from the event on the State Small Business Environmental Assistance Program Facebook page. Please note that this was a Facebook page created quite some time back for the State SBEAPs and others by invite (yes, it is a private group). It was not intended to be a public facing page as that's what the National SBEAP Twitter and YouTube is about. We do welcome those within the SBEAP community to join us there and to share whatever pictures or similar that you would like.

<https://www.facebook.com/groups/sbosbeap>

In addition, the National SBEAP has a YouTube channel! This is where recordings of different sessions have been posted as resources for all of us. We encourage you to subscribe to the channel:

<https://www.youtube.com/channel/UC5PupYpZ1W6IG8CtzCINK8Q>. Allison is hoping to hit the 100 subscribers mark and right now, there are more videos than subscribers. Let's turn that around!

Nancy Larson, KS Small Business Environmental Assistance Program: 3/23/2023

Relates to our NV speaker's topic this morning at Annual Training. Programs in the west and those that work with radon may find this a fit.

Wildfire Smoke Preparedness in Community Buildings Grant Program

Applications due May 9th, 2023

EPA is seeking applications [from eligible entities](#) for a new federal grant program to support enhancing wildfire smoke preparedness in community buildings. The Wildfire Smoke Preparedness in Community Buildings Grant Program will provide grants and cooperative agreements to States, federally recognized Tribes, public pre-schools, local educational agencies, and non-profit organizations for the assessment, prevention, control, or abatement of wildfire smoke hazards in community buildings and related activities.

The total estimated funding available for awards is \$10,670,000. EPA anticipates awarding approximately 13-18 grants, ranging from \$100,000 to \$2,000,000. Funded assistance agreements will have up to 3-year periods of performance. [Apply Here](#).

EPA will host an information session for potential applicants. During the webinar, EPA will provide an overview of the Notice of Funding Opportunity (NOFO) and the application process.

- Date: April 10th, 2023
- Time: 3:00 - 4:00 pm (Eastern)
- [Register Here](#)

[Find questions and answers, and other information about this funding opportunity.](#)

Learn more about the [Wildfire Smoke Preparedness in Community Buildings grant program](#).

Nancy Larson, KS Small Business Environmental Assistance Program: 3/15/2023

Please excuse any cross postings. Note there are several air quality-related articles and new grant opportunities you may find of interest.

Miscellaneous Coating Manufacturing: National Emission Standards for Hazardous Air Pollutants (NESHAP)

This regulation establishes emission limits and work practice requirements for new and existing miscellaneous coating manufacturing operations, including process vessels, storage tanks, wastewater, transfer operations, equipment leaks, and heat exchange systems, and implements section 112(d) of the Clean Air Act (CAA) by requiring all major sources to meet hazardous air pollutant (HAP) emission standards reflecting application of the maximum achievable control technology (MACT). The HAP emitted from miscellaneous coating manufacturing facilities include toluene, xylene, glycol ethers, and methyl isobutyl ketone. Exposure to these substances has been demonstrated to cause adverse health effects such as irritation of the lung, eye, and mucous membranes, effects on the central nervous system, and cancer.

The final rule will reduce HAP emissions by 4,900 tons per year for existing facilities that manufacture miscellaneous coatings. [Read the full article](#)

Lead Acid Battery Manufacturing Area Sources: National Emission Standards for Hazardous Air Pollutants (NESHAP)

This final national emission standard for hazardous air pollutants (NESHAP) applies to new and existing lead acid battery manufacturing plants that are area sources.

The Lead Acid Battery Manufacturing area source category was listed for regulation pursuant to section 112(c)(3) for its contribution of the urban hazardous air pollutants (HAP) lead and cadmium. The final rule adopts as the NESHAP for the Lead Acid Battery Manufacturing area source category the numerical emissions limits for grid casting, paste mixing, three process operations, lead oxide manufacturing, lead reclamation, and other lead emitting processes in 40 CFR 60.372 of the new source performance standards (NSPS) for lead acid batteries. [Read about the rule](#)

Air Plan Disapprovals; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards

Pursuant to the Federal Clean Air Act (CAA or the Act), EPA is finalizing the disapproval of State Implementation Plan (SIP) submissions for 19 states regarding interstate transport and finalizing a partial approval and partial disapproval of elements of the SIP submission for two states for the 2015 8-hour ozone national ambient air quality standards (NAAQS). The “good neighbor” or “interstate transport” provision requires that each state's SIP contain adequate provisions to prohibit emissions from within the state from significantly contributing to nonattainment or interfering with maintenance of the NAAQS in other states. This requirement is part of the broader set of “infrastructure” requirements, which are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA. Disapproving a SIP submission establishes a 2-year deadline for the EPA to promulgate Federal Implementation Plans (FIPs) to address the relevant requirements, unless the EPA approves a subsequent SIP submission that meets these requirements. Disapproval does not start a mandatory sanctions clock.

The EPA is deferring final action at this time on the disapprovals it proposed for Tennessee and Wyoming. The effective date of this final rule is March 15, 2023. [Read the rule in the Federal Register](#)

Biden-Harris Administration Reaffirms Scientific, Economic, and Legal Underpinnings of Limits on Toxic Air Pollution from Power Plants

On February 17, 2023, EPA reaffirmed the scientific, economic, and legal underpinnings of the 2012 Mercury and Air Toxics Standards (MATS) for power plants, which required significant reductions of mercury, acid gases, and other harmful pollutants. Controlling these emissions improves public health by reducing fatal heart attacks, reducing cancer risks, avoiding neurodevelopmental delays in children, and helping protect our environment. These public health protections are especially important for anyone affected by hazardous air pollution, including children and particularly vulnerable segments of the population such as Indigenous communities, low-income communities, and people of color who live near power plants. Learn more at [Mercury and Air Toxics Standards](#). [Read the press release](#)

Clean Water Act Methods Update Rule for the Analysis of Effluent

EPA is proposing changes to its test procedures required to be used by industries and municipalities when analyzing the chemical, physical, and biological properties of wastewater and other samples for reporting under EPA's National Pollutant Discharge Elimination System (NPDES) permit program. The Clean Water Act (CWA) requires EPA to promulgate these test procedures (analytical methods) for analysis of pollutants. EPA anticipates that these proposed changes would provide increased flexibility for the regulated community in meeting monitoring requirements while improving data quality. In addition, this proposed update to the CWA methods would incorporate technological advances in analytical technology and make a series of minor changes and corrections to existing approved methods. As such, EPA expects that there would be no negative economic impacts resulting from these proposed changes.

Comments on this proposed rule must be received on or before April 24, 2023. [Read the proposed rule in the Federal Register](#)

Q Tony Pendola, NC Small Business Environmental Assistance Program: 3/2/2023

Eric Goehl, who presented on CEDRI at one of our recent Technical Subcommittee meetings, in coordination with the new 6H rule writer has added the following reports to CEDRI. They are currently available so I am looking for a volunteer autobody shop to work with so we can document the procedure and see what if any pain points are involved before they become mandatory on May 9th. If you have a facility that would be willing to let me help/participate, please let me know.

As a brief reminder, most autobody shops can be exempt from this rule since the paint manufactures largely do not manufacture paints containing the target HAPs or have an alternative (<https://nationalsbeap.org/compliance/petition>). The amended rule allows for a notification instead of a request but also instituted electronic reporting via CEDRI.

PS – I am still trying to get the Reg Nav Tool updated to add this part. Thanks.

(Forwarded message:)

FYI, I worked with Lisa Sutton and enabled the following reports in CEDRI for 6H.

Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.11175(a)/63.9(b) - Initial Notification	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Notification Report
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.11175(b)/63.9(h) - Notification of Compliance Status	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Notification Report
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.11176(a) - Annual Notification of Changes Report	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Notification Report
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.11176(b) - MeCl Report	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Notification Report
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.11170(a)(2) - Exemption Petition or Notification (Optional for Federal Reporting)	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Notification Report
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	Other Report (Submittal via CEDRI optional for Federal reporting)	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Other Report
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.9(j) Change in information already provided (required for major source to area source reclassification)	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Major MACT to Area (MM2A)
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	63.9(b) Initial notifications for an area source reclassifying to major source who had previously been subject to major source rule (a major to area back to major transition)	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	Major MACT to Area (MM2A)
Part 63	Subpart HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations Area Sources	Performance Test Report (Submittal via CEDRI optional for Federal reporting)	Consumer and Commercial Products Manufacturing	Solvent Use and Cleaning	ERT Performance Report

Rhonda Wright, US EPA: 3/1/2023

Yesterday, the U.S. Environmental Protection Agency (EPA) finalized the technology review conducted for Wood Preserving Area Sources regulated under the National Emission Standards for Hazardous Air Pollutants (NESHAP). The EPA determined that there are no cost-effective developments in wood preserving practices, processes, and control technologies that would further reduce regulated urban air toxics. As a result, the EPA is making no changes to the existing standards and is only establishing minor editorial and formatting changes to the Wood Preserving Area Sources NESHAP table of applicable general provisions. The EPA also finalized technical corrections to the Surface Coating of Wood Building Products NESHAP in this package.

A prepublication version of the final rule and fact sheet can be found at: <https://www.epa.gov/stationary-sources-air-pollution/wood-preserving-area-sources-national-emission-standards-hazardous> and <https://www.epa.gov/stationary-sources-air-pollution/surface-coating-wood-building-products-national-emission-standard-1>

Nancy Larson, KS Small Business Environmental Assistance Program: 3/1/2023

The Office of Advocacy will host a small business roundtable to discuss the Department of Energy's proposed rule to update energy conservation standards for distribution transformers. The roundtable will take place on **Tuesday, March 14, 2023 from 2:30-3:30pm (ET)** via virtual platform. The purpose of the roundtable will be to gather comments and feedback from interested parties.

Roundtable participation information will be emailed upon receipt of RSVP. RSVPs may be sent directly to Prianka Sharma at prianka.sharma@sba.gov. The attached agenda and this invitation are public and may be distributed. Please ask that all interested attendees RSVP to Prianka directly so that we may keep an accurate attendee list.

*Note DOE has been invited and intends to participate as a listen-only attendee.

Nancy Larson, KS Small Business Environmental Assistance Program: 3/1/2023

Forwarded message:

Biden-Harris Administration Announces Over \$250 Million to Fund Innovative Projects That Tackle Climate Pollution

New Climate Pollution Reduction Grant Program made possible by President Biden's Inflation Reduction Act

WASHINGTON (March 1, 2023) – Today, the Biden-Harris Administration is making \$250 million available to develop innovative strategies to cut climate pollution and build clean energy economies. These planning grants, through the U.S. Environmental Protection Agency (EPA), are the first tranche of funding going to states, local governments, Tribes, and territories from the \$5 billion Climate Pollution Reduction Grants (CPRG) program created by President Biden's Inflation Reduction Act. The program provides flexible planning resources for states, Tribes, territories, and municipalities to develop and implement scalable solutions that protect people from pollution and advance environmental justice.

All 50 states, the District of Columbia and Puerto Rico are eligible to receive \$3 million in grant funds. In addition, each of the 67 most populous metropolitan areas in the country are eligible to receive \$1 million for plans to tackle climate pollution locally. EPA is also making millions in noncompetitive planning grant funds available to territory and tribal governments. Later this year, EPA will launch a competition for \$4.6 billion in funding to implement projects and initiatives included in these plans. States, cities, territories, and Tribes can also use this funding to develop strategies for using the other grant, loan, and tax provisions secured by President Biden's historic legislation, including the Inflation Reduction Act and Bipartisan Infrastructure Law, to achieve their clean energy, climate, and environmental justice goals.

"We know that tackling the climate crisis demands a sense of urgency to protect people and the planet," **said EPA Administrator Michael S. Regan**. "President Biden's Inflation Reduction Act is a historic opportunity to provide communities across the country with the resources they need to protect people from harmful climate pollution and improve our economy. These Climate Pollution Reduction Grants are an important first step to equip communities with the resources to create innovative strategies that reduce climate emissions and drive benefits across the country."

President Biden's Inflation Reduction Act includes historic funding to combat climate change while creating good-paying jobs and advancing environmental justice. Today's announcement builds on \$550 million announced last week for EPA's new [Environmental Justice Thriving Communities Grantmaking](#) program and [\\$100 million announced earlier this year](#) for environmental justice grants to support underserved and overburdened communities. Additionally, the [Greenhouse Gas Reduction Fund](#) will award nearly \$27 billion to leverage private capital for clean energy and clean air investments across the country.

About the Climate Pollution Reduction Grant Program

The CPRG planning grants will support states, territories, Tribes, municipalities and air agencies, in the creation of comprehensive, innovative strategies for reducing pollution and ensuring that investments maximize benefits, especially for low-income and disadvantaged communities. These climate plans will include:

- Greenhouse gas emissions inventories;
- Emissions projections and reduction targets;
- Economic, health, and social benefits, including to low-income and disadvantaged communities;
- Plans to leverage other sources of federal funding including the Bipartisan Infrastructure Law and Inflation Reduction Act;
- Workforce needs to support decarbonization and a clean energy economy; and
- Future government staffing and budget needs.

In program guidance released today, EPA describes how the Agency intends to award and manage CPRG funds to eligible entities, including states, metropolitan areas, Tribes, and territories.

States

Under the formula-based program for planning grants, the governments of all states, the District of Columbia, and Puerto Rico are eligible for up to \$3 million. Each state government will be expected to develop or update any existing climate action plan in collaboration with sub-state jurisdictions including air pollution control districts and large and small municipalities statewide, and to conduct meaningful engagement including with low income and disadvantaged communities throughout its jurisdiction.

Metropolitan Areas

To further EPA's efforts to cover as much of the population as possible under regional planning grants, the 67 most populous metropolitan areas will be awarded \$1 million each to develop regional planning grants with key stakeholders in their area. Communities that do not rank in the top 67 most populous areas will have opportunities to partner with their states and neighboring jurisdictions.

Territories & Tribes

The territories of Guam, American Samoa, U.S. Virgin Islands, and the Northern Mariana Islands as well as federally recognized Indian Tribes are also eligible entities; their application process is detailed in a separate program guidance.

Tribes have a set-aside of \$25 million, for grants up to \$500,000 for a single Tribe or \$1 million for groups of 2 or more. Territories are eligible for up to \$500,000 each. Applicants are not required to provide a cost-share or matching funds for this funding.

Next Steps

States must submit a notice of intent to participate by March 31, 2023; the 67 most populous metropolitan areas nationally must submit a notice of intent to participate by April 28, 2023. EPA strongly encourages all eligible entities to review the complete [program guidance documents available on EPA's website](#) to learn more about these planning grants, details about eligibility criteria and allocation formulas, important deadlines, and other requirements.

This funding for climate planning will be followed later this year by \$4.6 billion in implementation grant funding that will support the expeditious implementation of investment-ready policies created by the CPRG planning grants, programs, and projects to reduce greenhouse gas emissions in the near term. Through the CPRG program, EPA will support the development and deployment of technologies

and solutions that will reduce greenhouse gas emissions and harmful air pollution, as well as transition America to a clean energy economy that benefits all Americans.

Key Program Dates

States and metropolitan areas have different deadlines to notify EPA that they intend to opt-in to the climate planning grants.

- **States** will have until **March 31, 2023**, to opt in to this grant by submitting a notice of intent to participate. The lead organization for the state will then need to submit an application, which will include a workplan and budget for the planning grant, by **April 28, 2023**. States can work with EPA regional offices during this time.
- **Metropolitan areas** have until **April 28, 2023**, to opt in. The lead organization for the metropolitan area will then need to submit an application, which will include a workplan and budget for the planning grant, by **May 31, 2023**. Metropolitan areas can work with EPA regional offices during this time.
- **Tribes and territories** have a separate program guidance, process and deadlines with applications and workplans due by June 15, 2023. EPA's regional offices will work closely with Tribes and territories to support their successful application. They should work closely with their EPA region toward submitting an application and workplan by **June 15, 2023**.

By summer 2023, EPA Regional Offices expect to award and administer the funding agreements.

Webinars

EPA will hold two webinars for state, territory, local and tribal governments to provide additional information on the program guidance for the noncompetitive planning grants on March 2, 2023 and March 7, 2023 at 2 pm Eastern. A recording of the webinar will be posted to the Climate Pollution Reduction Grants webpage.

[More information on the Climate Pollution Reduction Grants](#)

[CPRG Planning Grant Program Guidances](#)

[Sign up for notifications about the Climate Pollution Reduction Grants](#)

Donovan Grimwood, TN Small Business Environmental Assistance Program: 2/22/2023

In case you hadn't signed up for the OAQPS Small Business Outreach (and you probably should), Rhonda just announced the launch of the OAQPS Small Business Assistance Program website. It has some great information on there about upcoming rules, SB Advocacy Review panels, and contact information for each regional RASBL. I think our Website team has had a placeholder location for a link to this website, waiting on it to go live for this and the other information on this page. Check it out and hopefully you find it useful.

U.S. EPA's Office of Air and Radiation, Office of Air Quality Planning and Standards (OAQPS), Small Business Assistance Program (SBAP) has launched its new webpage for all interested small business stakeholders. This webpage will provide a central place for States, EPA Regions, and small businesses to obtain information, tools, and training about OAQPS regulatory actions that may be of interest to small businesses.

To explore OAQPS SBAP's new webpage, please visit: <https://www.epa.gov/stationary-sources-air-pollution/office-air-quality-planning-and-standards-oaqps-small-business>.

Nancy Larson, KS Small Business Environmental Assistance Program: 2/17/2023

Forwarded message:

On Tuesday, February 7, 2023, the U.S. Environmental Protection Agency (EPA) finalized amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Lead Acid Battery (LAB) Manufacturing Area Sources and the New Source Performance Standards (NSPS) for Lead Acid Battery Manufacturing Plants. The LAB manufacturing source category includes any plant that produces lead acid batteries and their processes, including grid casting, paste mixing, lead oxide manufacturing, three-process operations (battery assembly) and lead reclamation. EPA is promulgating several technology improvements to both the NESHAP and NSPS, as well as a revision to the applicability provisions for the area source NESHAP.

For a copy of the prepublication version of the final rule, and a fact sheet, please visit:

<https://www.epa.gov/stationary-sources-air-pollution/lead-acid-battery-manufacturing-area-sources-national-emission> and <https://www.epa.gov/stationary-sources-air-pollution/lead-acid-battery-manufacturing-new-source-performance-standards>

Thanks in advance for sharing this with your stakeholders.

Nancy Larson, KS Small Business Environmental Assistance Program: 2/14/2023

Forwarded message:

Pollution Prevention Grant Program

New Pollution Prevention (P2) Grant Opportunities Focused on Environmental Justice are Coming Soon!

The U.S. Environmental Protection Agency (EPA) will soon announce two new grant opportunities funded by the Bipartisan Infrastructure Law, which President Biden signed in November 2021. These grants will provide funding for states and Tribes to provide businesses with technical assistance to help them adopt pollution prevention (P2) practices to advance environmental justice in underserved and overburdened communities across the country. These new grant opportunities are expected to be posted on [Grants.gov](https://www.epa.gov/grants) in the coming weeks, and applicants will have 90 days to apply. EPA is providing notice of these grant opportunities in advance so potential applicants can make the necessary preparations to submit a high-quality application to the Agency. The two grant opportunities are:

- **Pollution Prevention Grant: Environmental Justice in Communities** – Providing P2 technical assistance to businesses to improve human health and the environment in disadvantaged communities
- **Pollution Prevention Grant: Environmental Justice Through Safer and More Sustainable Products** – Providing P2 technical assistance to business to increase the supply, demand and/or use of safer and more sustainable products, such as those that are certified by EPA's [Safer Choice](#) label, or those that conform to EPA's [Recommendations for Specifications, Standards and Ecolabels for Federal Purchasing](#)

Eligible applicants include states, state entities such as universities, U.S. territories and possessions, and federally recognized Tribes and intertribal consortia. Applicants are strongly encouraged to consider partnering with others in the P2 stakeholder community to strengthen their ability to provide P2 technical assistance to businesses and facilitate the development, adoption, and dissemination of P2 solutions. For these grants, selected grantees will not be required to focus their technical assistance on the [National Emphasis Areas \(NEAs\)](#) and will not be required to provide matching funds.

Prior to applying for an EPA grant, applicants must:

- Have an active account on the [System for Award Management \(SAM\)](#)
- Be registered on [Grants.gov](https://www.epa.gov/grants)

Please note that it may take up to a month to complete registration on these systems.

For help with grant-related questions, e-mail p2hub@epa.gov.

To receive a notification when the grants are available, sign up to receive EPA's [P2 listserv](#)

Belinda Breidenbach, ID Small Business Development Center: 1/24/2023

Here's the condensed version from the CFR. I don't see any emphasis on small business industries.

EPA initiatives into the FY 2024–2027 cycle:

The EPA is planning to continue the following four existing initiatives into the FY 2024–2027 cycle:

1. **Creating Cleaner Air for Communities by Reducing Excess Emissions of Harmful Pollutants.** The EPA plans to continue this initiative for the FY 2024–2027 cycle, with a focus on processes for which widespread noncompliance continues to be identified: flares, storage tanks, wastewater treatment, and incineration/ combustion. In addition, continuing this initiative can further the EPA Strategic Plan goals of advancing environmental justice and addressing climate change by prioritizing inspections at sources impacting vulnerable or pollution burdened communities and by achieving pollutant reductions with the co-benefit of reducing emissions of methane which contributes to climate change. For example, FY 2021 enforcement actions resulted in a reduction of approximately 6.7 million pounds of VOCs and HAPs and over 15.7 million pounds of methane reduced.
2. **Reducing Risks of Accidental Releases at Industrial and Chemical Facilities.**
3. **Reducing Significant Non-Compliance in the National Pollutant Discharge Elimination System (NPDES) Program**
4. **Reducing Non-Compliance with Drinking Water Standards at Community Water Systems**

The two potential new NECIs are described as follows:

1. **Mitigating Climate Change.** A potential climate NECI would seek to combat climate change through a focus on reducing non-compliance with the illegal import, production, use, and sale of hydrofluorocarbons (HFCs)
2. **Addressing PFAS Contamination**

The EPA also seeks comment on two additional areas for further consideration for possible development as NECIs

1. **Reducing Exposure to Lead**
2. **Addressing Coal Combustion Residuals (CCR)**

Nancy Larson, KS Small Business Environmental Assistance Program: 1/23/2023

Forwarded message:

The Office of Advocacy will host a virtual small business roundtable on **Wednesday, February 1, 2023 from 1-2pm (ET)** to discuss the White House Council on Environmental Quality's Environmental Justice Screening Tool. Representatives from CEQ will offer a brief demonstration of the tool and answer questions. Attendees will also have the opportunity to provide comments and feedback.

Interested individuals may RSVP to prianika.sharma@sba.gov to receive teleconference participation information. This invitation is public and may be forwarded, however all attendees must RSVP directly to me.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 1/23/2023

Thank you to Nancy Herb for bringing this forward and some of the other discussions concerning how to handle this. After discussion, felt that it would be best to share this to SBEAP_Main so that all SBEAPs could take a look. As we still have some time, but not much, rather than having regional reps send out and then hopefully discuss, wanted to send the information directly to the SBEAPs. Hopefully this will provide a topic of discussion amongst the regions and following that discussion, if comments from the regions could be sent to the regional reps and then shared to the NSC, a collected comment letter can be developed for the NECIs.

The NECIs are high level generalized goals and foci for EPA over a several year period so that they can plan and concentrate on certain areas. Their previous cycle focus on water/wastewater violations is an example of how the NECIs provide a focus and benefit as there had been a consistently high number of violations at treatment plants nationwide and by making it a priority through the NECI, they've gotten the violations occurring down significantly.

That's also why these NECIs are sometimes very broad. If anyone wishes to share comments to the NSC for these, please have them to Chris and I by March 1st. This will give us and the NSC as a whole enough time to develop them into a comment letter prior to the Annual Training which is coming up soon after.

<https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00500.pdf>

ENVIRONMENTAL PROTECTION AGENCY
[EPA-HQ-OECA-2022-0981; FRL-10417-01-OECA]

Public Comment on EPA's National Enforcement and Compliance Initiatives for Fiscal Years 2024–2027

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is soliciting public comment and recommendations on the National Enforcement and Compliance Initiatives (NECIs) for fiscal years 2024–2027 (formerly called “National Compliance Initiatives”). The EPA focuses enforcement and compliance resources on the most serious and widespread environmental problems by developing and implementing national program initiatives. The initiatives currently underway, modifications to these existing initiatives, as well as potential new initiatives under consideration are described in the SUPPLEMENTARY INFORMATION section of this document, with additional descriptions and data on the current initiatives available on our website: <http://www.epa.gov/enforcement/national-compliance-initiatives>.

DATES: Comments must be received on or before March 13, 2023.

Samira Deeb, OH Small Business Environmental Assistance Program: 1/9/2023

Our team has launched the new Permit Wizard! We were able to create a personalized on-line compliance tool where businesses can determine all permits applicable to their specific operations. To learn more, join us for a short tutorial webinar January 19, 2023 at 10am EST. Registration info is below.

Permit Wizard: https://ohioepa.custhelp.com/app/permit_wizard

Ohio EPA is excited to announce the release of a new and improved version of our [Permit Wizard Application](#). Permit Wizard is an easy-to-use online application that helps new and existing small businesses in Ohio identify necessary environmental permits, licenses, or registrations anonymously. Permit Wizard takes users through a short series of general questions about their operations. It then provides a summary of the required permits, licenses, or registrations that will likely be needed, along with contacts and links to helpful resources. Permit Wizard is available online at: https://ohioepa.custhelp.com/app/permit_wizard.

Join us for a short tutorial webinar January 19, 2023 at 10am EST to go over this new and exciting platform!

There are no approved CEUs for this webinar.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 1/5/2023

The NSC Environmental Justice Subcommittee was recently alerted to the opening of nominations for the National Environmental Justice Advisory Council of the EPA (NEJAC). There are participants of the NSC EJ Subcommittee that have already expressed an interest in being part of the NEJAC as a representative of the NSC. However, as there are multiple openings available and to encourage potential greater participation on the NSC EJ Subcommittee, it is felt that this information should be shared with all SBEAPs.

U.S. EPA is now accepting nominations for the [National Environmental Justice Advisory Council | US EPA](#) (NEJAC) and plans to fill ten vacancies. Nominees are sought from a variety of backgrounds and geographic locations and self-nominations are encouraged.

We've had SBEAP representation on the NEJAC in the past and would like to continue to do so to ensure the needs of small businesses are considered by the council. NSC can provide a letter of recommendation supporting the nomination(s). If interested, please let Donovan and Lisa Ashenbrenner-Hunt know by February 17th. This will give us time to develop letters of support (one of the parts of the nomination process) for interested SBEAP representatives in addition to any other letters of support that a nominee may gather.

The NEJAC provides EPA leadership with recommendations on integrating environmental justice into agency priorities and initiatives and examines related strategic, scientific, technological and economic issues.

To learn more about applying for and serving on the NEJAC see [Nominations to the NEJAC | US EPA](#). The deadline for submitting all nomination materials is March 17, 2023 (right around the NSC Annual Training so letting us know earlier rather than later is best).

Tony Pendola, NC Small Business Environmental Assistance Program: 1/4/2023

My takeaways are that Minor Source NSR and the AERR will be big things to watch. Perc Drycleaning might not be out until June. And Grain Elevators and NSPS Electronic Reporting have both been moved to inactive.

The White House Office of Management & Budget (OMB) / Office of Information & Regulatory Affairs (OIRA) has just released the Fall 2022 Unified Agenda of Regulatory and Deregulatory Actions (Unified Agenda), which is available [here](#). For the updated Unified Agenda, you can find the [Administration's Introduction](#), [Current Agency Statements of Regulatory Priorities](#) (U.S. EPA [here](#)), [Current Agenda Agency Preambles](#) (U.S. EPA's [here](#)), and [Long Term Actions](#) (U.S. EPA's [here](#)). Below is the introduction to the [Fall 2022 Unified Agenda](#), which is followed by details on planned actions from U.S. EPA:

The Biden Administration's Unified Agenda of Regulatory and Deregulatory Actions (Agenda) reports on the actions administrative agencies plan to issue in the near and long term. Released by the Office of Information and Regulatory Affairs, the Agenda provides important public notice and transparency about proposed regulatory and deregulatory actions within the Executive Branch.

The Regulatory Information Service Center (RISC) was created in June 1981. The Center undertakes projects that will facilitate development of and access to information about Federal regulatory and deregulatory activities. The Center's principal publication is the Unified Agenda in coordination with the Office of Information and Regulatory Affairs. Since 1978, Federal agencies have been required by Executive orders to publish agendas of regulatory and deregulatory activities. RegInfo.gov displays editions of the Unified Agenda of Federal Regulatory and Deregulatory Actions beginning with fall 1995.

You can find the Agency Rule list for U.S. EPA [here](#)

Long-Term Actions for U.S. EPA can be found [here](#)
Also available is an “[Inactive List](#)” of Agency “of regulatory actions under agency review but not included on the Unified Agenda. Agencies designate actions as ‘inactive’ when they choose to take additional time to review a regulatory or deregulatory action but wish to preserve the regulatory identification number (RIN) and title for possible future use.”
U.S. EPA’s Inactive List is available [here](#) for air-related rules.

Tayyaba Zeb, SBA Office of Advocacy: 12/19/2022

*****SBA Environmental Roundtable Meeting*****

FRIDAY, January 6, 2023, 10 a.m. – 11:00 a.m.

Via Webinar

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on Friday, January 6, 2023. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 11:00 AM EPA’s Supplemental Notice of Proposed Changes to its Fees for the Administration of the Toxic Substances Control Act

Marc Edmonds, Office of Pollution Prevention and Toxics, EPA

**** Roundtable meetings are open to all interested persons and are intended to facilitate an open and frank discussion about issues of interest to small business. These meetings are off the record and not intended for press purposes. Direct quotations of presenters or attendees may not be used without direct written approval of the person(s) making the statement. All press inquiries should be sent to Emily.williams@sba.gov. Agendas and presentations are available to all. ****

Small Business Environmental Roundtable

Issue for Discussion

January 6, 2023

EPA’s Supplemental Notice of Proposed Changes to its Fees for the Administration of the Toxic Substances Control Act

On November 16, 2022, EPA published a proposal to modify and supplement its previously proposed updates and adjustments to its 2018 final rule for fees under the Toxic Substances Control Act (TSCA). EPA is authorized to collect fees for certain fee-triggering activities under TSCA sections 4, 5, and 6. In this action, the agency is proposing to increase the fee amounts significantly. This is based on the agency’s change in the estimates of its total costs for administering TSCA. EPA continues to provide small businesses an 80 percent discount.

EPA is also proposing a number of other changes, including:

- narrowing previously proposed exemptions for those subject to EPA-initiated risk evaluation fees and proposed exemptions for test rule fee activities

- modifications to the self-identification and reporting requirements for EPA-initiated risk evaluation and test rule fees;
- providing a partial refund of fees for premanufacture notices withdrawn at any time after the first 10 business days during the assessment period of the chemical;
- modifications to EPA's proposed methodology for the production volume-based fee allocation for EPA-initiated risk evaluation fees in any scenario where a consortium is not formed;
- expanding the fee requirements to companies required to submit information for test orders;
- modifying the fee payment obligations to require payment by processors subject to test orders; and enforceable consent agreement; and
- extending the timeframe for test order and test rule payments.

Comments are due on **January 17, 2023**.

Sara Johnson, NH Small Business Environmental Assistance Program: 11/29/2022

Forwarded message:

I'm writing to share the newly published book, *Next Generation Compliance: Environmental Regulation for the Modern Era*, which is now available free of charge at <https://www.nextgencompliance.org/>. The book is authored by former EPA Assistant Administrator for OECA Cynthia Giles, written in her personal capacity before her recent return to EPA as Senior Advisor in the Office of Air & Radiation. It contains her own ideas and does not necessarily reflect the views of EPA.

According to Giles, the book outlines current challenges with environmental noncompliance and strategies to design regulations that work well in the "messy and complicated" world in which we live.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 11/9/2022

This came across my email feed today and wanted to share in the event that you didn't receive it. For many of us, this may open up options for potential funding to implement different projects or even support programs itself. This appears to be a pretty broad range and is primarily a listening session to hear ideas or feedback on different aspects of the IRA.

Hello,

You are invited to participate in a virtual roundtable conversation with EPA around the Office of Air and Radiation's provisions in the Inflation Reduction Act. We are excited to hear your perspectives, priorities, and feedback as we embark on this critical priority. **THIS LISTENING SESSION WILL NOT INCLUDE A DISCUSSION OF THE GREEN HOUSE GAS REDUCION FUND.**

See additional details below and let us know if you have any questions! Please reply to this email to RSVP, and we will add you to a calendar invite with Zoom information.

What: Industry IRA Roundtable with OAR

IRA Provisions Covered:

- Clean Heavy-Duty Vehicles [60101]
- Grants to Reduce Air Pollution at Ports [60102]
- Diesel Emissions Reduction [60104]
- Funding to Address Air Pollution – Fenceline Monitoring [60105(a)]
- Funding to Address Air Pollution – Multipollutant Monitoring [60105(b)]
- Funding to Address Air Pollution – Air Quality Sensors [60105(c)]
- Funding to Address Air Pollution – Emissions from Wood Heaters [60105(d)]
- Funding to Address Air Pollution – Methane Monitoring [60105(e)]

- Funding to Address Air Pollution – Clean Air Act Grants [60105(f)]
- Funding to Address Air Pollution – Mobile Source Grants [60105(g)]
- Funding to Address Air Pollution at Schools [60106]
- Low Emissions Electricity Program [60107]
- Funding for Section 211(O) of the Clean Air Act - RFS [60108]
- Funding for Implementation of American Innovation and Manufacturing Act [60109]
- GHG Corporate Reporting [60111]
- Methane Emissions Reduction Program [60113]
- Climate Pollution Reduction Grants [60114]

Who: Industry Stakeholders

Joe Goffman, Principal Deputy Assistant Administrator, Office of Air and Radiation

Jennifer Macedonia, Associate Deputy Assistant Administrator for IRA Implementation, Office of Air and Radiation

Rosemary Enobakhare, Associate Administrator for Public Engagement and Environmental Education

EPA technical staff

When: Friday, Nov. 18, 11:30-1:00pm EST

Where: Zoom Link to be sent once RSVP'd

In advance of this conversation, we have published a Request for Information (RFI) that includes non-regulatory dockets to provide answer to questions OAR has authored for stakeholders to respond to. You can find the list of discussion questions and dockets [HERE](#). We would like to use the time during these discussion sessions to hear your responses to these questions. We understand that we won't be able to go through every question in our 90-minute session, so we encourage you to pick the questions that you would like to prioritize in our discussion. We welcome any additional responses or feedback in writing into the docket and the opportunity to set up a follow-up discussion.

Mark Stoddard, IN Compliance & Technical Assistance Program: 10/31/2022

Extensions for Generators Due to Incinerator Capacity Limitations

<https://www.in.gov/idem/featured-topics/>

IDEM is aware of issues with certain hazardous wastes that are destined for incineration and the impact this is having on Indiana generators. Generators who cannot ship their hazardous waste off site within the allowed timeframe (90, 180, or 270 days) should request a 30-day extension if they have not already exceeded their time limit. If the waste cannot be shipped off site before the extension expires or if the waste has already exceeded the time limit, the generator should self-disclose that they are in violation of the on-site accumulation standard for hazardous waste generators.

- [How to request an extension \[PDF\]](#)
- [How to self-disclose violations](#)

Jenifer Dixon, MI Small Business Environmental Assistance Program: 10/6/2022

The Technical Subcommittee is hosting a [CEDRI](#) train the trainer type of session on October 18 at 2 pm EST. EPA's Eric Goehl and Casey Myers will be showing us how we have help our small business customers use CEDRI and what resources may be helpful to pass forward. Even if you are not a member of the subcommittee, you should consider joining us.

We will be covering:

- Overview of the CEDRI Basics
 - What is CEDRI?
 - What are its roles?

- How do industry users register with CEDRI?
- Demonstrations
 - Registering as a preparer and certifier.
 - Certifier adding a delegated certifier.
 - User activation and deactivation of certifiers/delegated certifiers and preparers.
 - Using the certifier *MyCEDRI* page.
 - Submitting a report as a preparer and certifier.
 - Revising and resubmitting a report and withdrawing a report.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/6/2022

Definitely should record this one. I think this would be a very useful one once it is posted to our channel to share via National SBEAP and any state level social media outlets.

Tony Pendola, NC Small Business Environmental Assistance Program: 9/27/2022

New national office charged with advancing environmental justice and civil rights

EPA is establishing a new national office charged with advancing environmental justice and civil rights. Today, Administrator Michael Regan announced our new Office of Environmental Justice and Civil Rights — elevating these critical issues to the highest levels of the agency.

The office will dedicate more than 200 EPA staff in our headquarters and across 10 regions towards solving environmental challenges in communities that have been underserved for far too long. Matthew Tejada will serve as the Deputy Assistant Administrator for Environmental Justice.

<https://www.epa.gov/newsreleases/epa-launches-new-national-office-dedicated-advancing-environmental-justice-and-civil>

National Environmental Justice Advisory Council Virtual Public Meeting: September 28, 2022

The [National Environmental Justice Advisory Council \(NEJAC\)](#) is convening a public meeting on Wednesday, September 28, 2022, from approximately 12:00 p.m. to 6:00 p.m., Eastern Time. Individual registration is **REQUIRED**. The meeting is free and open to all members of the public. Registration to attend the meetings is open through the scheduled end time of the meeting day.

Register Here: https://usepa.zoomgov.com/webinar/register/WN_kB_BJikKSQyvo8IxRyYnNg

Agenda: The meeting discussions will focus on several topics including, but not limited to, EPA administration priorities, recommendations on EPA's 2021 PFAS (per- and polyfluoroalkyl substances) Strategic Roadmap, and recommendations on community air quality monitoring that provides greater protection, and clean and healthy air to environmental justice communities.

Public Comment Period: The NEJAC is interested in receiving public comments on the EPA administrative priorities and recommendations. Individuals or groups making remarks during the oral public comment period will be limited to three (3) minutes. Please be prepared to briefly describe your comments; including what you want the NEJAC to advise the EPA to do. Submitting written comments for the record are strongly encouraged. Written comments can be submitted up until October 12, 2022.

For more information about public comment: <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council-guidelines-public-comment-0>

For more information on the NEJAC, visit our

website: <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council>

Questions: Please contact Paula Flores-Gregg at nejac@epa.gov or by phone at (214) 665-8123.

EPA Environmental Justice and Civil Rights in Permitting Frequently Asked Questions (FAQs)

For far too long, communities across our country have faced environmental injustices and have borne the brunt of toxic pollution. As part of EPA's effort to address environmental justice concerns, the agency is making available a set of FAQs to help federal agencies understand how they can integrate environmental justice and civil rights into environmental permitting processes. The Environmental Justice and Civil Rights in Permitting FAQs provides information to EPA, federal, tribal, state, and local environmental permitting programs on how to integrate EJ into their permitting processes. It also outlines how recipients of EPA financial assistance are obligated to comply with federal civil rights statutes, including Title VI of the Civil Rights Act of 1964, in their permitting processes. The Interim "[Environmental Justice and Civil Rights in Permitting Frequently Asked Questions](#)" document can be found

at [https://www.epa.gov/system/files/documents/2022-](https://www.epa.gov/system/files/documents/2022-08/EJ%20and%20CR%20in%20PERMITTING%20FAQs%20508%20compliant.pdf)

[08/EJ%20and%20CR%20in%20PERMITTING%20FAQs%20508%20compliant.pdf](https://www.epa.gov/system/files/documents/2022-08/EJ%20and%20CR%20in%20PERMITTING%20FAQs%20508%20compliant.pdf)

** These FAQs do not change existing policy or obligations to comply with applicable laws or create new legal rights or responsibilities. **

Nancy Larson, KS Small Business Environmental Assistance Program: 9/23/2022

*****SBA Environmental Roundtable Meeting*** FRIDAY, October 7, 2022, 10 a.m. – 12:00 p.m.**

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on Friday, October 7, 2022. The meeting will be held using the Microsoft Teams platform. Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 11:00 AM EPA's Proposed Revisions for the Risk Management Program Regulations Under the Clean Air Act

*William Noggle, Office of Land and Emergency Management, EPA
[tentative]*

11:10 AM – 12:00 PM EPA's Proposed Hazardous Substance Designation for PFOA and PFOS under CERCLA

Dana Stalcup, Deputy Director, Office of Land and Emergency Management, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issue for Discussion October 7, 2022

EPA's Proposed Revisions for the Risk Management Program Regulations Under the Clean Air Act

On August 31, 2022, EPA published proposed revisions to its Risk Management Program (RMP) regulations under the Clean Air Act. EPA is proposing to reestablish the requirements for a safer technologies and alternatives analysis, root cause analysis incident investigation, and third-party compliance auditing. EPA is also proposing to add new requirement for employee participation. Finally, the agency is proposing to emphasize its existing requirements to address natural hazards, loss of power and facility siting in hazard evaluations. In its emergency response provisions EPA is proposing to

include reestablishing the 10-year frequency to conduct a field exercise and mandating the current recommended exercise evaluation report elements. EPA's proposed changes to the information availability provisions includes allowing the public to request specific chemical hazard information.

Previously, in 2015, before EPA originally proposed some of the revisions in this rule, the agency convened a Small Business Advocacy Review Panel to consider the impacts on small entities. However, in this proposed rule, the agency certifies the rule will not have a significant economic impact on a substantial number of small entities. The agency has modified some of the provisions that were originally proposed but this rule includes new provisions including the employee participation requirement. Comments are due on **October 31, 2022**.

EPA's Proposed Designation of PFOA and PFOS as CERCLA Hazardous Substances

On September 6, 2022, EPA published its long-awaited proposed designation of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The hazardous substance designation triggers a reporting requirement to immediately report releases of PFOA and PFOS that meet or exceed the reportable quantity of 1 pound or more in a 24-hour period. The proposed rule is likely to impact a wide range of entities including manufacturers (including importers and importers of articles), processors, other downstream product manufacturers and users, and waste management and wastewater treatment facilities.

The agency only includes the direct cost of the reporting requirement noted above for industry. However, the agency includes a qualitative discussion of what the agency is describing as indirect costs that include clean up and recovery costs from contaminated sites. EPA certifies the rule will not have a significant economic impact on a substantial number of small entities based on the direct costs. Comments are due on **November 7, 2022**.

Belinda Fowler, NE Department of Environmental Quality: 9/20/2022

Join us on Tuesday September 27th 2:00 PM eastern, 1:00 PM central, noon Mountain, 11:00 AM Pacific, 10:00 AM Alaska, 8:00 AM Hawaii

Sydney Boogaard of Maricopa County Arizona will first demonstrate how they research a facility before visiting to determine potentially applicable regulations and then walk through some of the site-specific inspection checklists that they have designed. Ed Bakos from New Jersey will present a site visit sustainability checklist that they have been doing final field testing on this August. Nancy Larson from Kansas will discuss their end of site visit evaluation form.

Rhonda Wright, US EPA: 9/16/2022

Last night the Administrator signed the DAADs. Here is a [link](#) to the press release. Please reach out to your respective stakeholders to share this information. As required by the Clean Air Act, EPA is finalizing determinations for whether certain areas have attained the National Ambient Air Quality Standards that EPA established for ground-level ozone in 2008 and 2015 by the deadlines required under the law. Breathing ozone can cause coughing and a sore or scratchy throat, make it more difficult to breathe, inflame and damage airways, make lungs more susceptible to infection, aggravate lung diseases such as asthma, emphysema, and chronic bronchitis and increase the frequency of asthma attacks. These determinations are an important step in ensuring that all areas of the country achieve healthy levels of ozone air quality, and that areas of the country that are not currently achieving health-based standards adopt additional measures required by the Clean Air Act to reduce ozone pollution. Summary fact sheets

and prepublications of each rule can be found through the announcements box at: <https://www.epa.gov/ground-level-ozone-pollution>

Rhonda Wright, US EPA: 8/30/2022

Late last week the Administrator signed a notice finding that 15 states failed to submit complete regional haze State Implementation Plans, or SIPs, for the second planning period, which were due on July 31, 2021. The regional haze program calls for state and federal agencies to work together to improve visibility in 156 national parks and wilderness areas such as the Grand Canyon, Yosemite, Yellowstone, Mount Rainier, the Shenandoah Valley, the Great Smokies, Acadia and the Everglades. Today's finding is an important step towards ensuring that these states meet their obligations under the Clean Air Act to restore visibility and protect public health. EPA is committed to working with these states to support the development and submission of their regional haze SIPs and to ensure states are in the lead regarding continued progress toward cleaner air.

The states covered by this finding are: Alabama, Illinois, Iowa, Kentucky, Louisiana, Maine, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, Pennsylvania, Rhode Island, Vermont, and Virginia. Pursuant to the CAA, EPA has two years from the date of this finding to promulgate a Federal Implementation Plan, or FIP, for these states unless the state(s) submit and the EPA approves a SIP addressing regional haze obligations. An EPA finding that a state did not submit a regional haze plan does not trigger sanctions requirements. A summary fact sheet and a pre-publication version of the notice are available at: <https://www.epa.gov/visibility>

Tony Pendola, NC Small Business Environmental Assistance Program: 8/29/2022

FYI - EPA Designates PFOA/PFOS as a hazardous substance under Superfund - may affect SBs
<https://www.environmental-expert.com/news/epa-to-designate-forever-chemicals-as-hazardous-substances-1080423>

Rhonda Wright, US EPA: 8/16/2022

Air Toxics Standards for Stationary Engines - Final Amendments to Address Court Vacatur

On August 4, 2022, the U.S. Environmental Protection Agency issued a final rule that amends the Code of Federal Regulations for two stationary engine rules. EPA does not expect any emissions changes as a result of this final action. The final action codifies a court mandate that has been in place since 2016 related to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE) and the New Source Performance Standards (NSPS) for Stationary Internal Combustion Engines (ICE). A pre-publication version of the notice and a fact sheet are available at <https://www.epa.gov/stationary-engines> and on the websites for each rule at:

- <https://www.epa.gov/stationary-engines/national-emission-standards-hazardous-air-pollutants-reciprocating-internal-0>
- <https://www.epa.gov/stationary-engines/new-source-performance-standards-stationary-compression-ignition-internal-0>
- <https://www.epa.gov/stationary-engines/new-source-performance-standards-stationary-spark-ignition-internal-combustion-0>

More information:

In 2015, the U.S. Court of Appeals for the D.C. Circuit vacated a provision in the RICE NESHAP and ICE NSPS that allowed some engines to operate as emergency engines for up to 100 hours per year for emergency demand response. Since the court issued a mandate in 2016, engines used for emergency demand response have needed to be in compliance with the emissions standards and other applicable

requirements for non-emergency engines in the RICE NESHAP and ICE NSPS. This ministerial final rule revises the RICE NESHAP and ICE NSPS to conform to the court's decision.

Nancy Larson, KS Small Business Environmental Assistance Program: 8/10/2022

Did you know most states are planning to have a "Community Navigator" program that will work with environmental justice communities? Want to learn more about Community Navigators and how they relate to our SBEAP or clients? Check out the recently [recorded webinar](#) that the EJ-NSC workgroup hosted. Want to connect with you with your state's Community Navigator? Find their contact information at <https://www.sba.gov/local-assistance/community-navigators>.

Tony Pendola, NC Small Business Environmental Assistance Program: 8/9/2022

EPA Announces Initial Availability of \$11 Million for Technical Assistance Centers to Support Underserved Communities

Up to \$50 Million in Multi-Year Grants Available to Applicants Under Future Phases in Partnership with Department of Energy

Contact: EPA Press Office (press@epa.gov)

WASHINGTON (August 5, 2022) — Today, the U.S. Environmental Protection Agency (EPA) announced the availability of \$11 million in initial grant funding to establish Environmental Justice (EJ) Thriving Community Technical Assistance Centers across the nation. The EPA funding is available under the first year of a partnership with the Department of Energy, with future phases of up to 10 multi-year awards for a maximum potential program value of \$50 million. The Centers will provide an unprecedented level of support to help ensure that federal resources are equitably distributed and meet the on-the-ground environmental justice challenges that communities have faced for generations.

"Thanks to President Biden's leadership, EPA is making historic investments in our nation's infrastructure, making it all the more crucial to support the communities that need the most help accessing this funding," **said EPA Administrator Michael S. Regan**. "This grant funding will fill a critical gap to support underserved communities disproportionately harmed by pollution and break down barriers to federal resources." The Centers will provide technical assistance, training, and capacity-building support to communities with environmental justice concerns and their partners. They will also assist with navigating federal systems such as Grants.gov and SAM.gov, effectively managing and leveraging grant funding, and translation and interpretation services for limited English-speaking participants. The initial \$11 million in grant funding is being provided by EPA.

The support provided will focus on building community-centered collaborations through meaningful engagement, guidance on accessing other forms of support and technical assistance across the federal government, and assistance with writing grant proposals. This program will coordinate with and complement the Department of Transportation's Thriving Communities Initiative that provides technical assistance and capacity building resources to improve and foster thriving communities through transportation improvements.

This opportunity is available to public and private universities and colleges; public and private nonprofit institutions/organizations; and collaborating tribal governments. Applications are due on October 4, 2022. Awards will be issued as cooperative agreements and EPA will be substantially involved in the operation of the centers. For more information on this opportunity: <https://www.epa.gov/environmentaljustice/environmental-justice-thriving-communities-technical-assistance-centers> For more information on other grant funding and technical

assistance: <https://www.epa.gov/environmentaljustice/environmental-justice-grants-funding-and-technical-assistance>

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- <https://www.epa.gov/stationary-engines/new-source-performance-standards-stationary-compression-ignition-internal-0>
- <https://www.epa.gov/stationary-engines/new-source-performance-standards-stationary-spark-ignition-internal-combustion-0>

More information:

In 2015, the U.S. Court of Appeals for the D.C. Circuit vacated a provision in the RICE NESHAP and ICE NSPS that allowed some engines to operate as emergency engines for up to 100 hours per year for emergency demand response. Since the court issued a mandate in 2016, engines used for emergency demand response have needed to be in compliance with the emissions standards and other applicable requirements for non-emergency engines in the RICE NESHAP and ICE NSPS. This ministerial final rule revises the RICE NESHAP and ICE NSPS to conform to the court's decision.

Rhonda Wright, US EPA: 8/3/2022

Today, the US Environmental Protection Agency (EPA) [announced](#) its plans to engage and inform communities, states, Tribes, Territories, and stakeholders about up-to-date information on the risks posed by air emissions of ethylene oxide (EtO) from commercial sterilizers, as well as EPA's efforts to address these risks. EPA is [releasing new information](#) on specific facilities (toward the bottom of the web page) where lifetime risk levels are the highest to people who live nearby and is encouraging impacted communities to participate in a series of public engagements to learn more. Later this year, EPA expects to propose an air pollution regulation to protect public health by addressing EtO emissions at commercial sterilizers.

EPA analysis indicates that the air near facilities does not exceed non-cancer, short-term health benchmarks. However, the concern is that a lifetime of exposure to EtO emissions could lead to long-term health impacts if some of these facilities continue to emit at the current levels. Long-term exposure to high concentrations of EtO can increase the lifetime risk of getting cancer.

What we know about exposure to EtO, and the health risks it may pose, continues to evolve. We know that there are proven, effective air pollution measures and controls available. Many companies already have -- or are about to take -- the necessary steps to implement these measures and install these controls to reduce risks. EPA is engaging with the commercial sterilizer industry to learn more about any steps they are taking to install additional air pollution control systems.

EPA is taking action to reduce EtO emissions and risks in communities including:

- Reviewing Clean Air Act regulations to further reduce EtO emissions from industrial facilities, particularly rules to control air toxic emissions from commercial sterilizers and facilities that manufacture chemicals.
- Working with environmental agencies at the Territory, state, Tribal, and local levels to reduce EtO emissions.
- Expanding environmental reporting requirements for sterilization facilities.
- Reevaluating how EtO is used within sterilization facilities with the goal of reducing risks to workers who handle EtO and those who are exposed in other ways. EPA will be doing this reevaluation using the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA.
- Conducting research to better understand and measure EtO.
- Assessing compliance and pursuing enforcement as appropriate.

EPA is holding a national webinar on August 10th at 8pm Eastern to provide additional information about EtO, the risk assessment, commercial sterilizers, and to answer questions. You can register for this webinar at <https://www.epa.gov/hazardous-air-pollutants-ethylene-oxide/forms/ethylene-oxide-risk-commercial-sterilizers#register>. In addition, EPA will be holding community meetings in 2022. More information about these meetings will also be available on EPA's website.

Paula Hoag, EPA Office of Small Business Programs: 7/28/2022

EPA's Asbestos and Small Business Ombudsman (ASBO) Program is pleased to announce and provide to you the Final ASBO Monitoring and Reporting Strategy (attached). This strategy document has been in development for over a year, with several rounds of review to gain Agency and stakeholder feedback, which has helped guide my program's decision making. The Strategy defines a framework in how ASBO will carry out its statutory responsibilities to monitor and make periodic recommendations and reports. Now that it has been finalized through EPA leadership concurrence, I look forward to focusing my attention on future ombudsman reporting activities.

Rhonda Wright, US EPA: 7/26/2022

On Thursday, July 21st, the U.S. Environmental Protection Agency (EPA) finalized amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters. This final action addresses several issues identified by the D.C. Circuit, and will protect air quality and public health by reducing emissions of hazardous air pollutants (HAPs) such as formaldehyde, benzene, and polycyclic organic matter. The amendments will also result in reductions in particulate matter, a surrogate for metallic HAP, by an estimated 586 tons per year and sulfur dioxide by an estimated 1,141 tons per year. For a fact sheet and pre-publication version of this final rulemaking, please visit: <https://www.epa.gov/stationary-sources-air-pollution/industrial-commercial-and-institutional-boilers-and-process-0> Thanks in advance for sharing this with your stakeholders.

Rhonda Wright, US EPA: 7/19/2022

NEW: To subscribe to OAQPS listserv, send an email to: join-oaqps_small_business_outreach@lists.epa.gov

MEANINGFUL ENGAGEMENT DISCUSSION U.S. Environmental Protection Agency
Office of Air Quality Planning and Standards July 26, 2022 @ 1:00-3:00pm (EDT)

EPA is interested in hearing from overburdened and underserved communities and other key stakeholders about potential requirements for states to conduct meaningful engagement in developing their state plans under Emissions Guidelines issued under section 111(d) of the Clean Air Act.

The Agency's proposed Emission Guidelines for the Oil and Natural Gas Industry included a requirement to meaningfully engage with communities during state plan development (beyond holding public hearings). As we develop the supplemental proposal for the Emissions Guidelines for the Oil and Natural Gas Industry, along with other section 111 (d)-related rules (e.g., power sector and subpart Ba implementing regulations), EPA would like to hear more from communities and other key stakeholders about potential meaningful engagement requirements.

The proposed meaningful engagement requirements for the oil and gas rule are on page 1584 of the Federal Register notice of the rule (linked here: <https://www.federalregister.gov/documents/2021/11/15/2021-24202/standards-of-performance-for-new-reconstructed-and-modified-sources-and-emissions-guidelines-for#p-1584>)

On **Tuesday, July 26, 2022 @ 1:00-3:00PM (EDT)**, EPA will host a roundtable to hear directly from communities on Meaningful Engagement in Emissions Guidelines under Clean Air Act section 111(d). During this roundtable, we have listed several questions (**see below “Questions to Consider in Advance”**) that we would like to discuss. We are looking forward to your participation and encourage you to share this invitation with other community stakeholders.

QUESTIONS TO CONSIDER IN ADVANCE

- During the development of state plans, please tell us how meaningful engagement between states and community stakeholders should look.
- We'd like to understand how you interact with your state during development of state regulations. Does your state reach out to community stakeholders to discuss regulations as they are being developed? What do they do well? What concerns do you have?
- Do you consider it more effective to engage with all stakeholders at once or to engage with different groups of stakeholders separately?
- What types of community stakeholders should be engaging with states during regulation development that may be inadvertently left out of the process?
- At what point in the regulatory process should engagement begin, and why?
- How do you hear about meaningful engagement opportunities? How would you like that to change?
- What are the barriers to participating in meaningful engagement during regulatory development, and how could these barriers be addressed?
- What information or resources could EPA provide that would be helpful in facilitating meaningful engagement?
- What else should we know about requiring meaningful engagement?

Sara Johnson, NH Small Business Environmental Assistance Program: 7/15/2022

NEWMOA held a successful Brownfield 2022 Summit in May involving about 300 participants. The goals of the Summit were to:

- Share information about the financial incentives, liability protections, and technical and other assistance available for brownfields development from federal and state governments
- Promote best practices and lessons learned across states

- Provide an opportunity to increase networking and information-sharing among key stakeholders

NEWMOA partnered with the Technical Assistance to Brownfield Communities (TAB) program at the University of Connecticut (UConn) and state and EPA partners to organize the regional Summit. NEWMOA greatly appreciates all of the support from the Summit sponsors, which were essential to making the event such a success: https://www.newmoa.org/brownfields2022/sponsors_exhibitors.cfm

To view the presenters' PowerPoint slides: <https://www.newmoa.org/brownfields2022/agenda.cfm> (click on the session title and scroll down to the documents, which are the presentations)
The Conference pictures are available to attendees through the WHOVA App.

NEWMOA held a successful Science of PFAS Conference in April involving over 500 participants. The goals of the Conference were:

- Ensure that local, state, and federal action to address PFAS contamination is informed by the most current and reliable science
- Facilitate networking and information-sharing among key stakeholders on PFAS topics
- Identify important gaps in the science and policy to help inform future research

NEWMOA partnered with the Northeast Interstate Water Pollution Control Commission (NEIWPCC), the Northeast States for Coordinated Air Use Management (NESCAUM), the Northeast Recycling Council (NERC), and others to organize this regional Conference. NEWMOA greatly appreciates all of the support from the Summit sponsors and exhibitors, which were essential to making the event such a success: https://www.newmoa.org/pfasscienceconference/sponsors_exhibitors.html

To view the presenters' PowerPoint slides: <https://www.newmoa.org/pfasscienceconference/agenda.cfm> (click on the session title and scroll down to the documents, which are the presentations)

The Conference pictures are available to attendees through the WHOVA App.

Welcome Summer Intern Armen Youssoufian

Armen Youssoufian joined NEWMOA's staff this summer as an intern. He is a senior at Brandeis University majoring in Biology and minoring in Health, Science, Society, and Policy. Armen will be helping with moving content from NEWMOA's current website to the new website and supporting other aspects of the new website. He will also be helping with other projects as time allows.



Solid Waste & Sustainable Materials Management

Recent Joint NEWMOA-NERC Webinars

Food Waste Reduction Strategies & Tools for Businesses & Institutions

There are many opportunities for commercial and institutional generators to reduce their food waste. This free webinar featured information on available tools and strategies for these generators. The presenters shared case studies highlighting effective approaches as well as lessons they have learned. They highlighted available tools for measuring food waste generation and tracking progress.

Visit: <https://www.newmoa.org/events/event.cfm?m=525>

Extended Producer Responsibility Strategies for Gas Cylinders

Extended producer responsibility (EPR) proposals for managing used gas cylinders have emerged in the U.S. This free webinar covered the growing problem of discarded gas cylinders, why EPR policies are a solution, the passage of an EPR for gas cylinders law in Connecticut, the results of a recent report covering this topic by a major producer, and how the EPR programs in Canada are working.

Visit: <https://www.newmoa.org/events/event.cfm?m=530>

Purchasing Standards for Low Carbon Concrete

This webinar was co-sponsored by the NEWMOA, NERC, and the West Coast Climate and Materials Management Forum (WCMMF). Concrete is a critical building material. However, the cement binder used in concrete is responsible for around eight percent of humanmade CO₂ emissions. This free webinar explored low carbon concrete options and the growing number of purchasing standards that state and local governments have developed to give preference for these alternatives.

Visit: <https://www.newmoa.org/events/event.cfm?m=529>

Avoid Contamination in Food Waste Feedstock for Composting

The usefulness and value of finished compost depends on a feedstock that is free of contaminants, such as plastic and non-degradable service ware and bags. Unfortunately, it is all

too common to find these materials in food waste destined for composting. This webinar addressed successful educational strategies and programs to avoid these contaminants.

Visit: <https://www.newmoa.org/events/event.cfm?m=532>

IMERC Launched a Modernized Mercury Products Database

NEWMOA's IMERC Program recently launched a modernized and searchable IMERC Mercury-Added Products Database, which presents information on the amount and purpose of mercury in products: <https://newmoa-inq.govonlineaas.com/view/mercury-search>. Users can search the Database by company, product category, and/or mercury amount. Please review the [Database Caveats and Limitations](#) to accurately interpret the search results.

Launching a New NEWMOA Website

NEWMOA will be launching a new [NEWMOA.org](https://newmoa.org) website later this summer. The modernized and completely updated website will be easier to navigate, have a modern and clean user interface, be mobile ready, and meet higher standards for accessibility. Stay tuned for the announcement later this summer.

NEWMOA Board of Directors

NEWMOA's Board of Directors met in June to discuss state and EPA waste, toxics, PFAS, and pollution prevention challenges and NEWMOA's FY 2022 finances, projects, and strategic priorities. The Board also joined formerly active NEWMOA members for a 35th anniversary celebration for the organization. It was a beautiful night in the Graduate Hotel in downtown Providence. Thank you to those of you that were able to join us.

NEWMOA's FY 2022 Officers:

- Mike Wimsatt, NH DES, Chair
- Greg Cooper, Mass DEP, Vice Chair
- Leo Hellested, RI DEM, Treasurer

NEWMOA welcomes three new Board members: Jennifer Perry, CT DEEP, Kathy Black, NH DES, and Janine MacGregor, NJ DEP. Robert Isner, CT DEEP has recently retired. Robert was a member of the Board for the past year following the retirement of Yvonne Bolton. NEWMOA greatly appreciates all of Robert's work on the Board and its Workgroups and projects over many years. We will miss his insights, dedication, knowledge, compassion, and kindness. All the best to Robert in his retirement.

Additional FY 2022 Board members:

- Jennifer Perry, CT DEEP

- Graham Stevens, CT DEEP
- Susanne Miller, ME DEP
- Diane Baxter, Mass DEP
- Tiffany Skogstrom, Mass OTA
- Kathy Black, NH DES
- Mike Hastry, NJ DEP
- Janine MacGregor, NJ DEP
- John Vana, NYSDEC
- William Ottaway, NYSDEC
- Ron Gagnon, RI DEM
- Matt Chapman, VT DEC

FY 2022 Program Chairs:

- Tom Killeen, NYSDEC - Hazardous Waste
- Saskia van Bergen, WA Ecology - Interstate Chemicals Clearinghouse (IC2)
- Tom Metzner, CT DEEP - Interstate Mercury Education & Reduction Clearinghouse (IMERC)
- Kathy Black, NH DES - Pollution Prevention & Sustainability
- Chris Nelson, CT DEEP - Solid Waste & Sustainable Materials Management
- John Gilkeson, MN PCA – Toxics in Packaging Clearinghouse
- Trish Coppolino - Waste Site Cleanup

news@NEWMOA

news@NEWMOA is designed to help our members and colleagues keep informed about the Association's projects and activities. You are receiving this e-newsletter because you are a member of a NEWMOA working group, committee, or program; invitee to NEWMOA events; a colleague at EPA or a related organization; connected to the Association in some other way; or have expressed interest in our work. news@NEWMOA contributors include Krishana Abraham-Petrie, Andy Bray, Terri Goldberg, Jennifer Griffith, Lois Makina, and Melissa Lavoie.

If you have questions about the delivery of this e-newsletter, contact Lois Makina, lmakina@newmoa.org.

Please share this newsletter with others in your agency or organization that might be interested. [We welcome your comments and suggestions.](#)

NEWMOA is on Facebook

Follow us on NEWMOA's Facebook page! We are now using Facebook to post notices about our events, new publications and information resources, projects, and members. We'd love to hear your ideas for how to make our Facebook page engaging and helpful. Check it out by searching for Northeast Waste Management Officials' Association (NEWMOA).

Leading the Northeast to a sustainable, waste-free future

NEWMOA is a non-profit, non-partisan, interstate association whose membership is composed of the state environment agency programs that address pollution prevention, toxics use reduction, sustainability, materials management, hazardous waste, solid waste, emergency response, waste site cleanup, underground storage tanks, and related environmental challenges in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

NEWMOA provides a strategic forum for effectively solving environmental problems through collaborative regional initiatives that advance pollution prevention and sustainability, promote safer alternatives to toxic materials in products, identify and assess emerging contaminants, facilitate adaption to climate change, mitigate greenhouse gas sources, promote reuse and recycling of wastes and diversion of organics; support proper management of hazardous and solid wastes, and facilitate clean-up of contaminant releases to the environment.

NEWMOA is an equal opportunity employer and provider.

Rhonda Wright, US EPA: 7/14/2022

Today, The EPA released draft air emission models for dairy operations developed using data gathered during the National Air Emissions Monitoring Study (NAEMS). The draft models estimate daily air emissions of ammonia, hydrogen sulfide, and particle pollution from barns and lagoons on dairy farms.

The Agency continues to develop air emission models for volatile organic compounds (VOCs) from all animal operations. After the draft emission models for all animal sectors are complete, EPA will review and revise all models before releasing the entire set of models for stakeholder review. Once finalized, the emission models will be used by animal feeding operations (AFOs) participating in a voluntary consent agreement known as the Air Compliance Agreement to determine applicability of certain Clean Air Act permitting requirements. Today's action and other background information are available at: <https://www.epa.gov/afos-air/national-air-emissions-monitoring-study>.

Nancy Larson, KS Small Business Environmental Assistance Program: 7/13/2022

At Annual Training we heard about the new "Community Navigator" program that was created as one of the Biden-Harris Administration commitment to small business and serving underserved populations. Each state has received funding to support this program, mainly run as an arm of the SBA or SBDC. As SBEAPs we have many connections with the mission to serve underserved small business community. The EJ workgroup just heard from a NH community navigator and she encourages state SBEAPs to reach out and get connected with the local programs. Read more at <https://www.sba.gov/local-assistance/community-navigators>.

Nancy Larson, KS Small Business Environmental Assistance Program: 6/10/2022

*****SBA Environmental Roundtable Meeting*** FRIDAY, June 17, 2022, 11 a.m. – 12:00 p.m.**

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 11 a.m. on Friday, June 17, 2022. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

11:00 AM – 11:10 AM

Introductions

Tabby Zeb, SBA Office of Advocacy

11:10 AM – 12:00 PM

EPA's Proposed Reporting and Recordkeeping Requirements for Asbestos Under the Toxic Substances Control Act

Daniel Ruedy, Office of Pollution Prevention and Toxics, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issue for Discussion June 17, 2022

EPA's Proposed Reporting and Recordkeeping Requirements for Asbestos Under the Toxic Substances Control Act

On May 6, 2022, EPA published proposed reporting and recordkeeping requirements for asbestos under the Toxic Substance Control Act (TSCA). The proposed rule is a one-time reporting obligation for certain manufacturers and processors of asbestos including manufacturers and processors of articles containing asbestos or asbestos that is a component of a mixture. The data elements for reporting include the quantity manufactured or processed per asbestos type and use, and employee exposure information.

Although TSCA Section 8(a) provides an exemption for small manufacturers (including importers) or processors, EPA is imposing these requirements on all small businesses for all forms of asbestos, except for Libby Amphibole. EPA explains it can do so under TSCA because these forms of asbestos are subject to an existing TSCA rulemaking. As a result, only small manufacturers and small processors of Libby Amphibole are exempt from reporting. While EPA is using its existing definition for small manufacturer, the agency is proposing to establish a definition of small processors in this rulemaking. EPA is consulting with SBA on the new definition, as required by statute. The public comment deadline is **July 5, 2022**.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 6/9/2022

Dan forwarded this on to me as something that might be of interest to the NSBEAP. If you are interested in being on this subcommittee, the information for nomination is below. Also, if there are particular transportation related groups that you are connected with, please pass this along to them as well.

EPA is seeking nominations from representatives of nonfederal interests to serve on the Mobile Sources Technical Review Subcommittee (MSTRS) of the Clean Air Act Advisory Committee (CAAAC). Interests include, but are not limited to:

- Community and/or environmental and/or mobility justice
- State, tribal, and local government
- Environmental advocacy groups
- Future transportation options and shared mobility
- Transportation and supply chain shippers
- Marine and inland port interests
- Mobile source emission modeling

EPA values and welcomes opportunities to increase diversity, equity, inclusion, and accessibility on its Federal Advisory Committees. In an effort to obtain nominations of diverse candidates, EPA encourages nominations of people from all racial and ethnic groups. MSTRS members are appointed by the EPA Administrator for three-year terms with the possibility of reappointment to a second term. Through its expert members from diverse stakeholder groups and from its various workgroups, the subcommittee reviews and addresses a wide range of developments, issues and research areas such as emissions modeling, emission standards and standard setting, air toxics, innovative and incentive-based transportation policies, onboard diagnostics, heavy-duty engines, diesel retrofit, and fuel quality.

The MSTRS, a federal advisory committee chartered under the Federal Advisory Committee Act, provides the CAAAC with independent advice, counsel, and recommendations on the scientific and technical aspects of programs related to mobile source air pollution and its control. The subcommittee's website is at <https://www.epa.gov/caaac/mobile-sources-technical-review-subcommittee-mstrs-caaac>.

For more information on how to submit a nomination, please see the [Federal Register Notice](#) announcing the request for nominations. Nominations must be received by **July 11, 2022**. If you have any questions, please contact: Julia Burch, Designated Federal Officer; email: burch.julia@epa.gov.

Rhonda Wright, US EPA: 6/7/2022

We have updated our annual report on air quality trends. This year's report, covering trends information through 2021, includes monitored air measurements of criteria air pollutants and toxic air pollutants, emission estimates, and visibility. This data update is available in an interactive Web application that allows the user to dig into the data points comprising the trends. The report is available at: www.epa.gov/air-trends.

Rhonda Wright, US EPA: 6/7/2022

OAQPS Small Business Assistance Program now has an email listserv. Details about our listserv can be found in the attached flyer and a FAQ sheet. It will explain what this listserv offers and what you can expect should you join. We encourage all small businesses and stakeholders to subscribe to our listserv to stay abreast of upcoming events and other updates coming out of OAQPS on air-related regulations with potential small business matters. Please feel free to contact me should you have any questions. Thank you in advance for sharing with your stakeholders.

Rhonda Wright, US EPA: 6/3/2022

Here are a couple of actions that were signed late Wednesday, June 1, 2022.

SIGNED: Proposed Rule for Surface Coating of Plastic Parts for Business Machines NSPS Review

On late Wednesday, the Administrator signed proposed amendments to the Surface Coating of Plastic Parts for Business Machines New Source Performance Standards (NSPS). EPA determined that there are emission reduction techniques used in practice that achieve greater emission reductions than those required by NSPS subpart TTT for surface coating operations. Accordingly, EPA is proposing emission limits for volatile organic compounds (VOCs) under a new subpart TTTa for affected facilities that commence construction, reconstruction, or modification after the date of publication of this proposal in the *Federal Register*. EPA is not, however, expecting any new, modified, or reconstructed facilities to perform surface coating of plastic parts for business machines over the next 8 years. EPA is also proposing minor changes that are not expected to yield any reductions in emissions but will update and clarify the NSPS. Interested parties can download a copy of the proposed rule and fact sheet from EPA's website at: <https://www.epa.gov/stationary-sources-air-pollution/surface-coating-plastic-parts-business-machines-industrial-surface>.

SIGNED: Miscellaneous Coatings Manufacturing Proposed Rule for the NESHAP Technology Review

On late Wednesday, the Administrator signed proposed amendments to address a gap in the recently finalized Miscellaneous Coating Manufacturing (MCM) National Emission Standards for Hazardous Air Pollutants (NESHAP). The NESHAP was promulgated in 2003 and amended in 2006, and the required residual risk and technology review (RTR) was finalized in 2020. After promulgation of the final rule, EPA agreed to propose additional standards under a court-ordered deadline to address unregulated emissions from the MCM source category by February 16, 2023. The proposed amendments address standards for emission sources of inorganic hazardous air pollutants (HAP) which were identified as a gap in the current standards. Interested parties can download a copy of the proposed rule and fact sheet from EPA's website at: <https://www.epa.gov/stationary-sources-air-pollution/miscellaneous-coating-manufacturing-national-emission-standards>.

Rhonda Wright, US EPA: 6/2/2022

SIGNED: Proposed Amendments to Air Toxics Standards for Bulk Gasoline Terminals

Last night the Administrator signed proposed amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Gasoline Distribution major source and area source rules, and proposed New Source Performance Standards (NSPS) for Bulk Gasoline Terminals. The Agency identified cost-effective developments in practices, processes or control technologies for storage tanks, loading operations, and equipment, and best system of emission reduction for loading operations and equipment leaks that would further reduce emissions of hazardous air pollutants and volatile organic compounds.

EPA is also proposing revisions related to emissions during periods of startup, shutdown, and malfunction; adding monitoring and operating provisions for control devices; and making other minor technical improvements. This proposal also includes electronic reporting of notification of compliance status reports and performance test results and reports. The NESHAP amendments are being proposed to go into effect upon an affected source's initial startup or within three years from promulgation, whichever is later. The NSPS is being proposed to go into effect upon startup of the new, reconstructed, or modified facility or publication of the final rule, whichever is later. Interested parties can download a copy of the proposed rule and fact sheet from EPA's website at: <https://www.epa.gov/stationary-sources-air-pollution/gasoline-distribution-mact-and-gact-national-emission-standards>.

Posted: Final Policy Assessment for PM NAAQS Reconsideration

The final Policy Assessment (PA) for the Reconsideration of the 2020 final decision on the National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM) was posted to the EPA's website this morning.

The PA presents a staff analysis of the scientific evidence and technical information, along with conclusions regarding the 24-hour and annual primary PM_{2.5} standards, the primary 24-hour PM₁₀ standard, and the secondary 24-hour and annual PM_{2.5} and 24-hour PM₁₀ standard for consideration by the Administrator prior to rulemaking. The final PA reflects consideration of the advice and comments from the chartered Clean Air Scientific Advisory Committee (CASAC), as well as public comments, on the draft PA released in October 2021. The PA document is available on the EPA's website at <https://www.epa.gov/naaqs/particulate-matter-pm-standards-policy-assessments-current-review-0>. Thanks in advance for sharing this information with your stakeholders.

Nancy Larson, KS Small Business Environmental Assistance Program: 5/27/2022

EPA Tools & Resources Webinar

Understanding Environmental Justice through two EPA tools: EJSCREEN and EnviroAtlas
Wednesday, June 15, 2022 at 3-4 PM ET

Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. It's vital that as a society we fix the problems created by decades of environmental injustice. Understanding patterns of how different sectors of the population are impacted inequitably by environmental issues is a necessary step towards a solution. This webinar will examine two of the tools EPA has developed to help users understand and address EJ—EJScreen and EnviroAtlas. [EJScreen](#) is an EJ mapping and screening tool that provides a nationally consistent dataset and approach for combining environmental and demographic indicators. [EnviroAtlas](#) is a data-rich, web-based decision support tool that combines maps, analysis tools, downloadable data, and informational resources. EJScreen and EnviroAtlas can be used together, and we will demonstrate how to use EJScreen data in EnviroAtlas and vice versa, with a focus on EJ issues.

[Register for the EPA Tools & Resources Webinar: Understanding Environmental Justice through 2 EPA tools - EJSCREEN and EnviroAtlas.](#)

Nancy Larson, KS Small Business Environmental Assistance Program: 5/12/2022

*****SBA Environmental Roundtable Meeting*** THURSDAY, May 26, 2022, 10 a.m. – 11:00 a.m.**
The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on Thursday, May 26, 2022. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

- | | |
|----------------------------|---|
| 10:00 AM – 10:10 AM | Introductions & Update on Chemicals Designated as High Priority under TSCA
<i>Tabby Zeb, SBA Office of Advocacy</i> |
| 10:10 AM – 11:00 AM | EPA's Proposed Regulation for Chrysotile Asbestos Under Section 6(a) of the Toxic Substances Control Act (TSCA)
<i>Peter Gimlin, Office of Pollution Prevention and Toxics, EPA</i> |

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small

entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issue for Discussion May 26, 2022 **EPA's Proposed Regulation for Chrysotile Asbestos Under Section 6(a) of the Toxic Substances Control Act (TSCA)**

On April 12, 2022, EPA published a proposed rule to ban ongoing uses of chrysotile asbestos based on its unreasonable risk determination under the Toxic Substance Control Act (TSCA). In the 2020 final risk evaluation for chrysotile asbestos, EPA determined that there is unreasonable risk to workers, consumers, and/or bystanders. TSCA requires that EPA address the unreasonable risks by rule and to apply requirements to the extent necessary so that chrysotile asbestos no longer presents such risks.

To address the identified risks, EPA is proposing to prohibit manufacture (including import), processing, distribution in commerce and commercial use of chrysotile asbestos for chrysotile asbestos diaphragms for use in the chlor-alkali industry, chrysotile asbestos-containing sheet gaskets used in chemical production, chrysotile asbestos-containing brake blocks used in the oil industry, aftermarket automotive chrysotile asbestos-containing brakes/linings, other chrysotile asbestos-containing vehicle friction products, and other chrysotile asbestos-containing gaskets. The agency is also proposing to prohibit manufacture (including import), processing, and distribution in commerce of aftermarket automotive chrysotile asbestos-containing brakes/linings for consumer use, and other chrysotile asbestos-containing gaskets for consumer use. In addition, EPA is proposing disposal and recordkeeping requirements for these conditions of use

EPA certifies that the proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act based on fifteen potentially impacted small entities. However, most of the analysis is based on the impacts to twelve small businesses supplying aftermarket automotive brakes. For the other three small business, two manufacturers of sheet gasket manufacturing for chemical production and oilfield brake block importers, the agency did not have information to determine the cost impacts. The agency is requesting comments to address this gap. In addition, the agency is also seeking information on other potentially affected small businesses including sheet gasket end uses, oilfield brake block end users, other gasket, vehicle friction products, and other uses not currently identified. The public comment deadline is **June 13, 2022**.

Rhonda Wright, US EPA: 5/12/2022

EPA is extending the comment period on the proposed Good Neighbor Plan for the 2015 ozone NAAQS to June 21, 2022. We have updated our website with a prepublication version of the FRN announcing the extension: https://www.epa.gov/system/files/documents/2022-05/EPA-HQ-OAR-2021-0668%20-%20Extension%20of%20Comment%20Period_Prepublishation.pdf. The notice is scheduled to publish on 5/12 in the Federal Register.

Rhonda Wright, US EPA: 5/3/2022

Dear ECOS members, State and Tribal air directors, and local air agencies – On May 5 and May 12, the U.S. Environmental Protection Agency will be holding a two-part meeting to discuss updated risk information for ethylene oxide (EtO). The first virtual meeting, taking place on May 5 from 1-3PM ET,

will talk at a high level about EPA's updated risk assessment results, actions for reducing risk, and planned outreach in the coming months. The second virtual session, taking place on May 12 from 1-3PM ET and designed for technical staff, will cover technical details related to the facility emissions estimates and risk modeling. Each of these meetings will cover separate material. Another Eventbrite link will be available soon to register for the May 12 meeting. These discussions will focus explicitly on issues related to regulatory process and planning and are therefore only intended for state, Tribal, and local regulators.

Rhonda Wright, US EPA: 5/3/2022

Here are a few OAQPS actions since Wednesday, April 27th.

Mitigation Plans Under the Exceptional Events Rule

Late Wednesday, April 27, EPA notified the Governors of California, Nevada, New Mexico and Wyoming that under the 2016 Exceptional Events Rule they will need to develop plans – known as mitigation plans - for certain areas within their states. These areas are experiencing recurring events that impact air quality. EPA is also issuing a Notice of Availability (NOA) making the public aware of this notification. The states will have two years to complete and submit these plans to EPA. EPA ensures these plans are complete and that the submitting air agency followed the public comment process. If EPA deems the mitigation plans to be complete, air agencies, can submit future demonstrations for the area for the same event type and National Ambient Air Quality Standard combination. Learn more about this action <https://www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events-homepage-exceptional>.

Draft Ozone Policy Assessment

On Thursday, April 28, EPA is made available to the public a draft document titled, *Policy Assessment for the Reconsideration of the Ozone National Ambient Air Quality Standards, External Review Draft* (Draft PA). This draft document was prepared as a part of the current reconsideration of the 2020 final decision on the ozone (O₃) national ambient air quality standards (NAAQS). This Draft PA concludes that the scientific and quantitative information does not call into question the adequacy of the current O₃ standards and thus, supports consideration of retaining the current standards, without revision. The Draft PA is available at <https://www.epa.gov/naaqs/ozone-o3-air-quality-standards>, under “Policy Assessments” for the current review. The public has 30 days to offer comments on the Draft PA.

SIGNED: Final Air Toxics Standards for Mercury Cell Chlor-Alkali Plants

On Friday, the Administrator signed final amendments to the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) Mercury Cell Chlor-Alkali Plants Residual Risk and Technology Review. These final amendments will prohibit mercury emissions from existing mercury cell chlor-alkali plants after May 2025. In the interim, EPA has finalized work practice standards and instrumental monitoring of mercury from cell rooms to minimize fugitive mercury emissions before the mercury prohibition takes effect. Since mercury emissions will ultimately be eliminated as a result of the final rule standards, any adverse health or environmental effects from mercury emissions from the source category will also be eliminated.

EPA is also finalizing work practice standards to minimize fugitive chlorine emissions from mercury cell chlor-alkali plants, revisions related to emissions during periods of startup, shutdown, and malfunction (SSM), and amendments to correct a few minor errors in compliance provisions in the 2003 rule. EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Mercury Cell Chlor-Alkali Plants source category are acceptable and that they provide an ample margin of safety to protect public health and the environment. Interested parties can download a copy of the final

rule notice and a copy of the fact sheet from EPA's website at: <https://www.epa.gov/stationary-sources-air-pollution/mercury-cell-chloralkali-plants-national-emissions-standards>.

Proposed Amendments to the New Source Performance Standards (NSPS) for Electric Arc Furnaces (EAF) and Argon-Oxygen Decarburization Vessels

EPA is proposing several technology improvements to the NSPS, including a new subpart, AAb, that would apply to facilities that are new, modified, or reconstructed after proposal. The EAF source category includes any facility that uses an EAF to make steel and that may also use argon-oxygen decarburization (AOD) vessels. Interested parties can download a copy of the proposed rule notice and fact sheet from EPA's website at: <https://www.epa.gov/stationary-sources-air-pollution/electric-arc-furnaces-eafs-and-argon-oxygen-decarburization-vessels>

Proposed Amendments to the New Source Performance Standards (NSPS) for Automobile and Light Duty Truck (ALDT) Surface Coating Operations

The ALDT surface coating source category includes three primary surface coating operations at automobile and light-duty truck assembly plants: the prime coat, guide coat, and topcoat operations. EPA is proposing improvements to the current NSPS subpart (40 CFR 60, subpart MM) and to a new NSPS subpart (40 CFR 60, subpart MMA). The current NSPS subpart applies to sources that were new, modified, and reconstructed after October 5, 1979, and before or on the *Federal Register* publication date of this proposed action. The proposed NSPS subpart MMA would apply to sources that are new, modified, and reconstructed after the *Federal Register* publication date of this proposed action. Interested parties can download a copy of the proposed rule notice and fact sheet from EPA's website at: <https://www.epa.gov/stationary-sources-air-pollution/automobile-and-light-duty-truck-surface-coating-operations-new>.

Nancy Larson, KS Small Business Environmental Assistance Program: 5/2/2022

***** SBA Environmental Roundtable Meeting *** FRIDAY, May 6, 2022, 10 a.m. –11:30 a.m. EDT**

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, May 6, 2022. The meeting will be held using the Microsoft Teams platform. Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP. **Agenda**

- | | |
|----------------------------|--|
| 10:00 AM – 10:20 AM | National Coordinating Entity for Sustainable Chemistry
<i>Melanie Buser, White House Office of Science and Technology Policy</i> |
| 10:20 AM – 10:40 AM | The Role of Federal Research, Policy and Engagement in Third Party Standards and Certifications
<i>Kathryn Beers, National Institute of Standards and Technology</i> |
| 10:40 AM – 11:30 AM | Discussion
<i>Dave Rostker, SBA Office of Advocacy</i> |

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of

the attendees.

Small Business Environmental Roundtable Issues for Discussion May 6, 2022 Sustainable Chemistry in the United States and the Role of the Federal Government

The National Defense Authorization Act for Fiscal Year 2021 tasked the White House Office of Science and Technology Policy (OSTP) with convening an interagency entity to coordinate Federal programs and activities in support of sustainable chemistry. This group will develop a strategic plan for sustainable chemistry, which would include a framework of attributes and metrics to characterize sustainable chemistry, an assessment of the state of sustainable chemistry in the United States, identification of federal regulatory barriers to and opportunities for federal agencies facilitating sustainable chemistry, and more.

As part of this group's outreach, OSTP has published a Request for Information (RFI) in the Federal Register. In support of this RFI, Advocacy is convening this small business roundtable to discuss the role of small business in sustainable chemistry and the small business perspectives on the questions in the RFI. There will be a presentation on the mission of the working group and on the RFI, followed by a presentation on the role of third-party standards in sustainable chemistry, and then an open discussion on the questions raised in the RFI.

Rhonda Wright, US EPA: 4/22/2022

Last night the Administrator signed a proposed revision to add *trans*-1,1,1,4,4,4-hexafluorobut-2-ene (also known as HFO-1336mzz-E; CAS RN 66711-86-2) to the list of compounds excluded from the regulatory definition of volatile organic compound (VOC) because it makes a negligible contribution to ground-level ozone formation. HFO-1336mzz(E) may be used in a variety of applications in foam expansion or blowing agents where it has significant performance and energy-saving advantages. It can serve as a replacement for several compounds with higher global warming potential. It also has a lower stratospheric ozone depletion potential than other alternatives, and based on the available toxicity data, it is less harmful compared with other chemicals used for the same purpose. EPA will accept comment on this proposal for 60 days after publication in the *Federal Register*. For more information and a prepublication version of the proposed revision, visit: <https://www.epa.gov/ground-level-ozone-pollution/revision-regulatory-definition-volatile-organic-compounds>

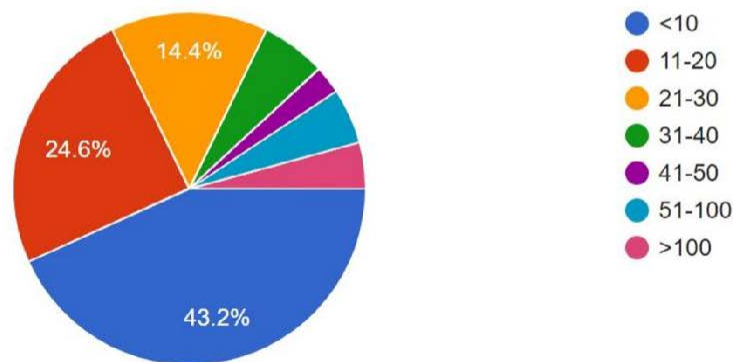
Tony Pendola, NC Small Business Environmental Assistance Program: 4/21/2022

U.S. EPA Proposed Amendments to Air Toxics Standards for Wood Preserving Area Sources (Comment Deadline: 4/21/22)

The deadline to comment on U.S. EPA's [proposed](#) results of the technical review of the 2007 National Emission Standards for Hazardous Air Pollutants (NESHAP) for [Wood Preserving Area Sources](#) **April 21, 2022**. Following a technology review, EPA is proposing to find that there have been no cost-effective developments that would further reduce air toxics since the original NESHAP was promulgated. As part of this package, EPA is also proposing technical corrections to the Surface Coating of Wood Building Products NESHAP (Subpart QQQQ) to address an outdated OSHA reference in the rule. More information is available [here](#), including a [fact sheet](#).

Tony Pendola, NC Small Business Environmental Assistance Program: 4/18/2022

Number of Employees



This is why we need to focus on autobody outreach. 93% have less than 100 employees. Shops can determine their compliance options with 6H by completing the Reg Nav Tool at: https://regnav.app.cloud.gov/6h/6HExemptionStorylineoutput/story_html5.html

Paula Hoag, EPA Office of Small Business Programs: 4/11/2022

Following Clean Air Act requirements, EPA is proposing determinations for whether certain areas have met the 2008 or 2015 National Ambient Air Quality Standards (NAAQS) for ground-level ozone. Our proposals cover determinations regarding the air quality progress of seven nonattainment areas classified as “Serious” for the 2008 ozone NAAQS, and determinations for 31 nonattainment areas classified as “Marginal” for the 2015 ozone NAAQS. For areas not meeting the ozone standards, today’s proposals outline new timeframes and next steps for states to take to improve air quality. These proposals are based on a scientific evaluation of certified, publicly-available air quality monitoring data for the years 2018 – 2020. We expect these actions to publish in the *Federal Register* on Wednesday this week and will accept comment on both proposed actions for 60 days after publication. EPA plans to hold a virtual public hearing for both proposals 25 days after publication. Tomorrow, April 12th, we will post on EPA’s website pre-publications versions of the proposals and summary fact sheets at: <https://www.epa.gov/ground-level-ozone-pollution/2008-ozone-national-ambient-air-quality-standards-naaqs-nonattainment> and <https://www.epa.gov/ground-level-ozone-pollution/proposed-determinations-attainment-attainment-date-extensions-0>.

Rhonda Wright, US EPA: 4/12/2022

On April 8, 2022, EPA proposed routine corrections and updates to some of its emissions measurement methods that are included in various stationary source regulations and used at stationary and industrial sources. EPA takes this routine step every few years to improve consistency in measurement methods and data quality. The proposed revisions consist primarily of corrections of typographical and technical errors, updates to procedures, and the addition of alternative methods that the Agency has deemed acceptable to use. A pre-publication copy of the proposed rule and a fact sheet are available at <https://www.epa.gov/emc/emc-recent-additions>

Rhonda Wright, US EPA: 4/8/2022

Revision to EPA's Third Party Certifier Corrective Action List

EPA is increasing the integrity of its review of all test reports for new woodstove certification applications to ensure that they are compliant before they go on the market. As part of this effort, EPA revised its Wood Heater Test Report Corrective Action List. Third Party Certifiers use this checklist to aid their review of EPA Approved Test Lab certification test reports. Revising the checklist is one of many steps that EPA is taking to address serious and systematic problems in the Third-Party Certification process. The revised checklist is available at <https://www.epa.gov/burnwise/epa-approved-test-labs-and-third-party-certifiers-residential-wood-heaters>.

Nancy Larson KS Small Business Environmental Assistance Program: 4/7/2022

FYI – may impact small businesses that manufacture or repair heavy duty engines.

***** SBA Environmental Roundtable Meeting ***FRIDAY, April 8, 2022, 10 a.m. –11:30 a.m. EDT**

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, April 8, 2022. The meeting will be held using the Microsoft Teams platform.**Agenda**

10:00 AM – 11:30 AM EPA Efforts to Reduce Emissions from Heavy-Duty Vehicles and Engines

Brian Nelson, Office of Transportation and Air Quality, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issues for Discussion April 8, 2022

EPA Efforts to Reduce Emissions from Heavy-Duty Vehicles and Engines

On August 5, 2021, EPA announced the Clean Trucks Plan, a series of rulemakings to reduce greenhouse gas (GHG) emissions and other air pollutants from heavy-duty vehicles, including long-haul tractors, buses, commercial delivery trucks, and many other types of trucks. EPA has also announced plans for stricter emission standards for medium-duty commercial vehicles.

The first proposed rulemaking, signed on March 3, 2022, would apply to heavy-duty vehicles starting in model year 2027 and set new standards for criteria pollutants for the entire sector as well as targeted updates to the existing GHG emissions standards.

EPA will present on this proposed rule and give an update on the upcoming GHG emissions rulemakings. There will be an opportunity for questions about the proposed rule and a discussion of the likely impacts of the three rulemakings on small businesses.

Rhonda Wright, US EPA: 4/6/2022

Today, the U.S. Environmental Protection Agency (EPA) announced it is inviting qualified small businesses, governments, and not-for-profit organizations to participate as Small Entity Representatives (SERs) for a Small Business Advocacy Review (SBAR) Panel. This Panel will focus on the agency's development of proposed revisions to the existing Air Emissions Reporting Requirements (AERR) rule

that was last revised and published on February 19, 2015 (80 FR 8787). The proposal may add reporting requirements to gather data about hazardous air pollutants, emissions rate test results from facilities, emissions from facilities in Indian Country that are not currently reporting emissions data, and emissions from small electricity generating units used intermittently, such as to meet demand on high electricity usage days. You can read the full news release here: <https://www.epa.gov/newsreleases/epa-seeks-input-revision-air-emissions-reporting-requirements-rule>

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 4/22/2022

Wanted to send out a general request based on this email from Rhonda at OAPQS. As noted, this is a potentially broad proposal and may have more impact on states rather than small businesses. However, it could also have a direct impact on small businesses, hence the calling for a Small Business Advocacy Review panel (SBAR). In talking with some of the leads for this SBAR, I did nominate for the panel but because an SBEAP doesn't fit the true definition of a SER, if they do let me in it would be setting a precedent. However, there is a second option that would allow SBEAPs to be involved, but without setting a precedent. And that is as a SER Helper. What this means is a third party group that acts as an advisor to a SER and receives all the same information and can guide a SER in comments, but is not necessarily making comments directly.

Overall, one of the goals is to try and get better information to EPA to develop better emission factors and have better data to work off of. Industry groups that already may have specific requirements in relation to source testing such as RICE would not be impacted as they already have requirements. This would be for all those that don't have specific rule requirements or the emission factors are dated. How many times have we looked at AP-42 and the factor hasn't been updated in 15 years? Or we're looking for a factor that doesn't occur in AP-42 or WebFIRE?

To this end, I request that each state that has a CAP reach out to them, especially the panel members representing businesses and share this information with them. If one or some of them would like to take part in the SBAR for this rule, it could add to the groups looking at the rule as well as could be a way for us as SBEAPs to act as a third party SER helper. If someone is interested, but hesitant, let them know that I would be available to act as a SER helper to them at a minimum, which may take some of the concern and pressure off of them. This rule is overall not expected to be as contentious as say the Oil and Gas Methane Reduction rule, but it may have some wide reaching potential.

Jenifer Dixon, MI Small Business Environmental Assistance Program: 3/31/2022

Save the Dates!

EPA's Office of Grants and Debarment is pleased to announce the launch of a new webinar series. The webinar series, which will take place over three weeks starting in April, is intended for grant applicants and recipients. Participants will hear from EPA staff about key aspects of the grants process and have the opportunity to submit questions.

Competition Process

Learn how to find and successfully apply for EPA grants.

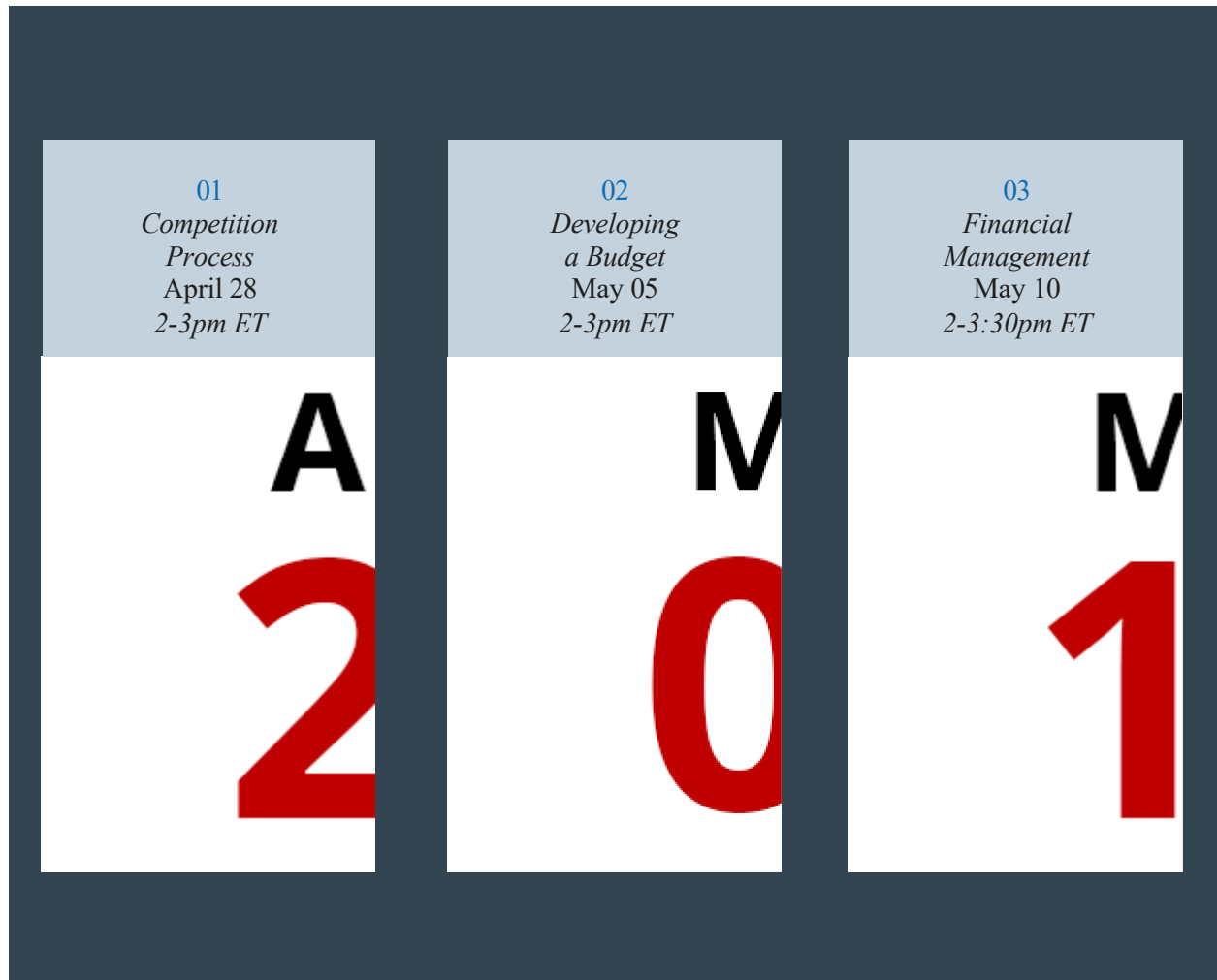
Developing a Budget

Learn how to develop budgets and budget narratives in this instructor-led version of EPA's Developing a Budget online training course

Financial Management

Hear from EPA's Research Triangle Park Finance Center about grant financial management, including how to successfully enroll in the Automated Standard Application for Payments (ASAP) system, properly draw down and account for funds, make adjustments in ASAP, submit financial reports, and financially close out a grant.

Details about how to register for the webinar series will be coming soon, so keep an eye on your inbox and save the dates.



Rhonda Wright, US EPA: 3/29/2022

Yesterday, the Administrator proposed to remove the “emergency” affirmative defense provisions from Clean Air Act (CAA) operating permit program regulations. These provisions allow sources to avoid liability in enforcement proceedings by demonstrating that violations of certain emission limitations in a title V permit were caused by an “emergency” situation. These title V affirmative defense provisions are inconsistent with EPA’s interpretation of the Clean Air Act’s enforcement structure, following the D.C. Circuit’s 2014 *NRDC v. EPA* decision. This proposal would replace EPA’s 2016 proposed rule regarding the same provisions. EPA will accept public comment on this proposal for 30 days after it is published in the *Federal Register*. For additional information, visit <https://www.epa.gov/title-v-operating-permits/current-regulations-and-regulatory-actions> .

Jenifer Dixon, MI Small Business Environmental Assistance Program: 3/25/2022

Draft Michigan Environmental Justice Screening Tool (MiEJScreen) - Now open for comments through May 16

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has opened a 60-day public comment period on a newly developed draft interactive mapping tool to help identify Michigan communities disproportionately impacted by environmental hazards.

The draft [Michigan Environmental Justice Mapping and Screening Tool \(MiEJScreen\)](#) allows users to explore environmental, health, and socio-economic indicators. These indicators are guides to help identify where populations are more vulnerable, what challenges communities face, and provide data to move toward environmental equity. The creation of the tool was a cooperative effort with EGLE's [Office of the Environmental Justice Public Advocate](#), and the Michigan Interagency Environmental Justice Response Team.

WHERE CAN I LEARN MORE?

In the next 60 days, EGLE will offer several opportunities to learn about how to use the tool during informational sessions, office hours, and an opportunity to provide official comments. The first of these is a webinar focusing on how to navigate and use the tool.

Register to attend the **MiEJScreen Informational Webinar and Screening Tool Demonstration** on **March 29, 2022**. There will be an afternoon and evening session.

- [Attend the 1:00 pm to 2:30 pm Session](#)
- [Attend the 6:00 pm to 7:30 pm Session](#)

Attend **Office Hours** to ask question on how to use the tool on **April 13, 2022** and **May 2, 2022**. No need to register just join at the links below.

- [Attend on April 13, 2022 from 12:00 pm to 1:00 pm](#)
- [Attend on May 2, 2022 from 12:00 pm to 1:00 pm](#)

Register to attend the **MiEJScreen Informational Webinar and Public Comment Session** on **April 27, 2022**. There will be an afternoon and evening session.

- [Attend the 1:00 pm to 2:30 pm Session](#)
- [Attend the 6:00 pm to 7:30 pm Session](#)

Nancy Larson, KS Small Business Environmental Assistance Program: 3/25/2022

***** SBA Environmental Roundtable Meeting *** *FRIDAY, April 8, 2022, 10 a.m. –11:30 a.m. EDT***

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, April 8, 2022. The meeting will be held using the Microsoft Teams platform. Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP. **Agenda**

10:00 AM – 11:30 AM **EPA Efforts to Reduce Emissions from Heavy-Duty Vehicles and Engines**

Brian Nelson, Office of Transportation and Air Quality, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange

opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issues for Discussion April 8, 2022

EPA Efforts to Reduce Emissions from Heavy-Duty Vehicles and Engines

On August 5, 2021, EPA announced the Clean Trucks Plan, a series of rulemakings to reduce greenhouse gas (GHG) emissions and other air pollutants from heavy-duty vehicles, including long-haul tractors, buses, commercial delivery trucks, and many other types of trucks. EPA has also announced plans for stricter emission standards for medium-duty commercial vehicles.

The first proposed rulemaking, signed on March 3, 2022, would apply to heavy-duty vehicles starting in model year 2027 and set new standards for criteria pollutants for the entire sector as well as targeted updates to the existing GHG emissions standards.

EPA will present on this proposed rule and give an update on the upcoming GHG emissions rulemakings. There will be an opportunity for questions about the proposed rule and a discussion of the likely impacts of the three rulemakings on small businesses.

Paula Hoag, EPA Office of Small Business Programs: 3/24/2022

In EPA's SmallBiz@EPA March 2022 Bulletin, the Asbestos and Small Business Ombudsman's (ASBO) Program announced the newly developed [Resource List for Small Entity Compliance Assistance](#), now available on the ASBO website. This newly developed webpage shares information about compliance assistance resources available to small entities who must comply with environmental regulations. Special thanks to the recently retired Catherine Tunis for her hard work and expertise in compiling this information while on detail with the ASBO Program.

Additionally, ASBO has recently included general guidance information on our [SmallBiz@EPA Bulletin webpage](#) for submitting news worthy content for inclusion into an upcoming *SmallBiz@EPA* publication. We greatly appreciate your program's news and updates! Read below for specific submission instructions.

Promote your news and events in EPA's SmallBiz@EPA Bulletin:

Do you have a story, upcoming event, resource, or information that may be beneficial to the small business community?

1. Email asbo@epa.gov with your brief submission
2. Include a suggested title at the top, along with a contact name, email or phone number and a web link for more information at the bottom
3. Be sure that your content has already been vetted/approved and is live on your organization's website. Federal or state government content is preferred and often required.
4. Submit your content by the 1st of the month to be included in that month's Bulletin, which goes out @ the 15th of each month

John Podolinsky, MT Small Business Environmental Assistance Program: 3/23/2022

This msg is from one of my partners, MMEC, on how Iowa's manufacturing assistance program works. Consider contacting your state's manufacturing extension office... <https://www.nist.gov/mep/mep-national-network> My program just finished a project working with a number of food and beverage companies across MT and MMEC on source reduction assistance battling waste. Here is Iowa's automation grant program that is based on the Iowa Strategic Plan for Manufacturing: <https://www.iowamfg.com/technology-investment-program/> [[iowamfg.com](https://www.iowamfg.com/)] Here is

Iowa's Strategic Plan for Manufacturing: <https://www.iowamfg.com/iowa-manufacturing/> [iowamfg.com]
North Dakota used to have automation grants for manufacturers and I was just informed that Utah's Legislature just funded \$750k in automation grants for manufacturers based on the Strategic Plan from Iowa. Montana needs to do something like this.

Sara Johnson, NH Small Business Environmental Assistance Program: 3/23/2022

These two upcoming EPA Small Business Innovation Research webinars feature researchers sharing innovative **Reuse, Recycling, Built Environment, and Disaster Resilience** products and technologies. The webinars are open to the public.

Please share the webinar invitations with internal and external colleagues.

U.S. EPA Small Business Innovation Research Recycling Technologies Webinar

[EPA's SBIR Program](#) recently funded six projects for U.S. small businesses to develop and commercialize innovative recycling technologies in areas such as repurposing waste glass, ocean plastic recycling, materials tracking software, and automated waste sorting. Each of these small businesses will provide a short presentation on the design, application and impact of their technology and discuss progress toward making these innovations available in the marketplace. Companies presenting are from EPA Regions 3, 8, 9, and 10. Additional information is in the attached invitation files and information on all of the research projects funded is at [SBIR | Research Project Database | US EPA](#).

Date/Time: Wednesday, March 30, 2:00 – 3:30 p.m. (EDT)

Registration: [Click here to register](#)

EPA SBIR Small Business Innovation Research Sustainable Materials Technologies Webinar

[EPA's SBIR Program](#) recently funded seven projects for U.S. small businesses to develop and commercialize innovative sustainable materials technologies addressing green building, embodied carbon, disaster resilience, beneficial reuse of materials, and alternatives to single use plastics. Each of these small businesses will provide a short presentation on the design, application and impact of their technology and discuss progress toward making these innovations available in the marketplace. Companies presenting are from EPA Regions 1, 2, 5, 8, and 9. Additional information is in the attached invitation files and information on all of the research projects funded is at [SBIR | Research Project Database | US EPA](#).

Date/Time: Wednesday, April 13, 2:00 – 3:30 p.m. (EDT)

Registration: [Click here to register](#)

Sara Johnson, NH Small Business Environmental Assistance Program: 3/14/2022

NH Business for Social Responsibility coordinates this program. I participated in their Racial Equity Program that was fantastic. You don't have to participate in the calls, but the emails will be filled with articles, videos, and other guidance material.

What is the Climate Action Challenge?

- An eight-week program designed to engage you and workplace team in climate action! No expertise needed, only passion! There are four modules, each is two weeks in duration.

Module 1: The Science Behind Climate Change

Module 2: Business as a Force for Change

Module 3: Climate Strategies & Opportunities

Module 4: Putting the Action Into Climate Action

- Every week you will receive two emails with readings and resources. The emails will be sent out on Mondays and Wednesdays. Get a quick primer on the topic or dig deeper - you choose!
- At the end of each module, you'll have the opportunity to hear from local experts in climate change and action. They'll bring to life all the ideas presented throughout the challenge, allow you the space to ask your questions.
- By the end of the Challenge, you'll have the foundation for your Climate Action Plan!

Why take the Challenge?

- Learn the science, local impact and opportunities to create change
- Develop actionable plans
- Connect with other business and community professionals interested having positive impact in addressing the challenges we are facing
- Become the change you wish to see!

What is the program cost?

- Our inaugural offering will be free to all thanks to our sponsors. Future offerings will only be free to NHBSR members.

Rhonda Wright, US EPA: 3/11/2022

EPA has just announced its proposed “Good Neighbor” plan for the 2015 ozone standard. Thanks in advance for sharing this information with you key stakeholders.

On February 28, 2022, the Administrator signed a proposed Federal Implementation Plan (FIP) to assure that the 26 states identified in the proposal do not significantly contribute to problems attaining and maintaining the 2015 Ozone National Ambient Air Quality Standards (NAAQS) in downwind states. This action, known as a “Transport Rule” would help states fully resolve their Clean Air Act “good neighbor” obligations for the 2015 Ozone NAAQS.

The rule would establish an allowance-based ozone season trading program with nitrogen oxides (NO_x) emissions budgets for fossil fuel-fired power plants in 25 states. The rule would also establish NO_x emissions limitations for certain other industrial stationary sources in 23 states.

The public comment period for the proposal will be open for 60 days after publication in the *Federal Register* and we plan to hold a virtual public hearing.

A pre-publication version of the proposal as well as key technical support documents are available on the web at: <https://www.epa.gov/csapr/csapr-2015-ozone-naaqs>.

Rhonda Wright, US EPA: 3/9/2022

This is not small-business related; however, in case you’re interested, please see the information below on a free webinar regarding federal funding to help community-based organizations.

This free webinar may be of particular interest to Community-Based Organizations as well as other partners with which you’re working.

Please share as appropriate.

Webinar: Federal Funding & You

Tools to Help Community-Based Organizations Access Resources

March 16, 1:00-2:30pm ET

The guidelines for federal funding can be confusing and overwhelming, especially for a community-based organization (CBOs) with limited capacity. Join us on March 16th for the second half of a SPARCC federal funding series on best practices for CBO’s to influence and access federal resources. This session will look both at how to position your organization to receive federal or other government funds, and also how your organization can work with states, local governments, and other recipients of federal funds to

ensure these dollars support community-led projects and needs.

Speakers:

- **Sasha Forbes**, Natural Resources Defense Council (NRDC)
- **Roberto Garcia-Ceballos**, Fideicomiso Comunitario Tierra Libre
- **Susan Hartmann**, Enterprise Advisors
- **Melissa Jones**, Bay Area Regional Health Inequities Initiative (BARHII)
- **Mia Madison**, Memphis Tilth
- **Roberto Requejo**, Elevated Chicago

> Register [here](#).

*If you missed the first half of the series, Demystifying Federal Funding, you can view the video [here](#).

Nancy Larson, KS Small Business Environmental Assistance Program: 3/8/2022

*****SBA Environmental Roundtable Meeting*****

FRIDAY, March 11, 2022, 10 a.m. – 11:00 a.m.

Via Webinar

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on Friday, March 11, 2022. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:05 AM	Introductions
10:05 AM – 10:25 AM	EPA’s Proposed Response: Petition To Revise the Non-Hazardous Secondary Material Standard <i>Tracy Atagi, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, EPA</i>
10:25 AM – 10:40 AM	Railroad Tie Management: A Short-Line Railroad Perspective <i>Sean Strong, Watco, American Short Line and Regional Railroad Association</i>
10:40 AM – 11:00 AM	Q&A

Small Business Environmental Roundtable
Issue for Discussion
March 11, 2022

EPA’s Proposed Response: Petition To Revise the Non-Hazardous Secondary Material Standard

On January 28, 2022, EPA published its proposed response to an industry petition to revise the Non-Hazardous Secondary Material (NHSM) regulations. The NHSM requirements consists of standards and procedures that are used to identify whether non-hazardous secondary materials are solid wastes when

used as fuels or ingredients in combustion units. The petitioners requested various changes which include: (1) changing the legitimacy criterion for comparison of contaminants in the NHSM to the traditional fuel the unit is designed to burn from mandatory to “should consider;” (2) removing associated design-to-burn and other limitations for creosote-treated railroad ties (CTRT); and (3) revising the definition of paper recycling residuals (PRR) to remove the limit on non-fiber materials in PRR that can be burned as a non-waste fuel.

In its proposed response, the agency denies all the requested revisions. For the first two requests, EPA reasons that these changes would negatively affect the NHSM program by increasing the levels of contaminants that could be burned in units that are not appropriately designed to burn them. While the agency is proposing to deny the request to revise the definition of PRR, it is alternatively proposing to set a numerical limit of two percent on the amount of non-fiber materials that may be included for the residuals to be considered a non-waste fuel.

The public comment deadline is **March 29, 2022**.

Speaker Bio: American Short Line and Regional Railroad Association

The American Short Line and Regional Railroad Association (ASLRRA) mostly represents small business owners and operators of short line and regional railroads and railroad suppliers throughout North America. ASLRRA is an affiliate member of EPA’s SmartWay program which helps freight transportation sector improve supply chain efficiency. Sean Strong works for a single source transportation and supply chain services company, Watco, a member of ASLRRA. He also serves as the Chair of the ASLRRA Environmental committee. He has extensive experience in compliance, remediation, sustainability, and environmental due diligence for industrial properties. Mr. Strong is a Certified Hazardous Materials Manager and a Qualified Industrial Stormwater Practitioner through the California Stormwater Quality Association. He has worked throughout the lower 48 states and has completed projects in Mexico and Canada. Mr. Strong holds a degree in economics from the Hobart and William Smith Colleges.

Rhonda Wright, US EPA: 3/2/2022

Today, the U.S. Environmental Protection Agency (EPA) released AirToxScreen, its new and improved air toxics risk screening tool. AirToxScreen is a screening assessment designed to provide broad estimates of cancer risk related to air toxics. It is part of the Agency’s new approach to air toxics that provides updated data and risk analyses on an annual basis to help EPA more readily identify existing and emerging air toxics issues. This assessment, based on 2017 air toxics data, will help EPA, states, tribes, and local communities evaluate where more detailed analyses are needed to get a more focused idea of actual risks. It will also provide communities – especially those with environmental justice considerations – with more current and complete information about the impacts of air toxics on their air quality.

This current release of AirToxScreen estimates risks from air toxics using data from 2017, the most recent year of complete data available. To ensure the most complete dataset, EPA compiled and analyzed air toxics emissions data from state, local and Tribal air agencies, as well as data submitted by industrial facilities. Where there were gaps in the data, EPA engineers and scientists calculated estimates to provide the most complete picture of air toxics emissions in the U.S. These data cover a variety of sources including industries, cars and trucks, and wildfires. EPA then took these data and combined it with information about the toxicity of more than 100 chemicals to create a national screening assessment that estimates the risks of getting cancer or other harmful health effects from air toxics.

The site is available at <https://www.epa.gov/AirToxScreen>

If you have additional questions, please email airtoxics@epa.gov

Rhonda Wright, US EPA: 3/2/2022

On Monday (2/28/22), the Administrator signed a notice to remove a stay of formaldehyde standards in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines. A desk statement is below.

EPA is removing a stay of formaldehyde standards in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines. This stay applied to certain subcategories of gas-fired turbines at major sources of HAP emissions and has been in place since 2004. EPA is also considering a delisting petition related to this NESHAP. However, EPA has evaluated the authority for the stay, in light of recent caselaw concerning Clean Air Act and Administrative Procedure Act (APA) stays, and has been unable to identify any authority for the stay in either the APA or the Clean Air Act.

Hazardous air pollutants, also known as toxic air pollutants or air toxics, are known or suspected to cause cancer or other serious health effects or adverse environmental effects. The stay applied to formaldehyde limits for two subcategories of stationary combustion turbines -- new lean premix gas-fired turbines and new diffusion flame gas-fired turbines. Units in these two subcategories are at sources such as compressor stations, power plants and chemical plants. Lean premix gas-fired turbines and diffusion flame gas-fired turbines that have been installed since January 14, 2003, will now have to comply with the requirements of the NESHAP. Compliance for turbines installed between 2003 and the effective date of this action will be required upon the effective date of the final amendments. Owners and operators will have 180 days to perform the initial compliance demonstration for their turbine(s).

A pre-publication version of the notice and a fact sheet are posted at <https://www.epa.gov/stationary-sources-air-pollution/stationary-combustion-turbines-national-emission-standards>

Rhonda Wright, US EPA: 3/1/2022

On February 28, 2022, the U.S. Environmental Protection Agency (EPA) proposed the results of its technical review of the 2007 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Wood Preserving Area Sources. Following a technology review, EPA is proposing to find that there have been no cost-effective developments that would further reduce air toxics since the original NESHAP was promulgated. As part of this package, EPA is also proposing technical corrections to the Surface Coating of Wood Building Products NESHAP (Subpart QQQQ) to address an outdated OSHA reference in the rule.

Interested parties can download a copy of the fact sheet and a pre-publication version of the proposed rule from EPA's website at the following address: <https://www.epa.gov/stationary-sources-air-pollution/wood-preserving-area-sources-national-emission-standards-hazardous>

Nancy Larson, KS Small Business Environmental Assistance Program: 2/25/2022

Thanks to our R7 RASBL, Keith Johnson, for sharing [OAQPS upcoming rules with potential SB impact]. Please excuse any cross postings.

Nancy Larson, KS Small Business Environmental Assistance Program: 2/8/2022

For those of you working with air emissions and water (that is most of you), you may be interested in this topic, one I had not heard about before –

EPA’s Draft TSCA Screening Methodology to Evaluate Chemical Exposures and Risks to Fenceline Communities

Read below to see the meeting and learn how “fenceline” communities are defined.

*****SBA Environmental Roundtable Meeting***
FRIDAY, February 18, 2022, 10 a.m. – 11:00 a.m.**

Via Webinar

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on Friday, February 18, 2021. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:10 AM	Introductions
10:10 AM – 10:30 AM	EPA’s Draft TSCA Screening Methodology to Evaluate Chemical Exposures and Risks to Fenceline Communities Rehan Choudhary, <i>Office of Pollution Prevention and Toxics, EPA</i>
10:30 AM – 10:40 AM	Comments on EPA’s Draft TSCA Screening Methodology from the Perspective of Small Manufacturers John Schweitzer, <i>American Composites Manufacturers Association</i> Robert A. Haberlein, Ph.D., <i>American Composites Manufacturers Association</i>
10:40 AM – 11:00 AM	Q&A

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**Small Business Environmental Roundtable
Issue for Discussion
February 18, 2022**

EPA's Draft TSCA Screening Methodology to Evaluate Chemical Exposures and Risks to Fenceline Communities

On January 21, 2022, EPA published its draft "TSCA Screening Methodology to Evaluate Chemical Exposures and Risks to Fenceline Communities." EPA plans to use the screening level methodology to evaluate potential chemical exposures and associated potential risks to fenceline communities in its Toxic Substances Control Act (TSCA) risk evaluations. EPA defines fenceline communities as members of the general population that are in proximity to air emitting facilities or a receiving waterbody. In the methodology, EPA limits the chemical release to the ambient air to less than or equal to 10,000 meters but does not provide a limit for waterbodies other than that it must be the receiving waterbody of the chemical discharge. The agency intends to apply the screening level methodology to seven of the "first 10" chemicals undergoing risk evaluation under TSCA Section 6, which include methylene chloride (MC), 1-bromopropane (1-BP), n-methyl-2-pyrrolidone (NMP), trichloroethylene, perchloroethylene, carbon tetrachloride and 1-4 dioxane. This methodology will also be employed by the agency for all future chemicals undergoing the risk evaluation process under TSCA. The agency recently extended its public comment deadline from February 22, 2022 to **March 22, 2022**.

EPA is also planning to hold a virtual peer review meeting of the Science Advisory Committee on Chemicals (SACC) March 15-17, 2022, to consider and review this methodology along with its application to 1-BP, NMP and MC.

Speaker Bio: American Composites Manufacturers

The American Composites Manufacturers Association (ACMA) represents an industry comprised of more than 1,000 facilities producing fiber reinforced polymer composite products, the majority of which are owned by small companies. Composites manufacturers have long been regulated under VOC, HAP, and state air toxics programs, and many have been required to conduct exposure modeling using EPA-approved methods. John Schweitzer is a Senior Advisor at ACMA. Rob Haberlin is the owner of Engineering Environmental Consulting Services (EECS) and has provided occupational, environmental, and litigation support to composite manufacturers, and other large and small manufacturers since 1991.

R Mark Stoddard IN Compliance & Technical Assistance Program: 2/8/2022

If I recollect accurately, Michigan DEQ (EGLE) conducts or did conduct an air toxic screening at the property line for air permit applications.

R Jenifer Dixon, MI Small Business Environmental Assistance Program: 2/8/2022

We do. Our state toxics rules have specific indices we use to look at impact exposures from all of our regulated toxic air contaminants. Any company submitting a permit application is required to do a toxics analysis and sometime toxics modeling as part of their application. Some of these are looked at cumulatively or additively and some are individual.

This is definitely a topic of interest.

R Sara Johnson NH Small Business Environmental Assistance Program: 2/8/2022

NH air toxics uses a calculation if the building is 40 feet or less from another property line including multi-use building.

I had a small wood coater that could not pass compliance due to formaldehyde without major modifications to his stack or relocate. He was in a renovated mill building that was pretty cool

and fit perfect for his needs. SBTAP and his coating vendor were able to find a formaldehyde free product line and he was able to comply easily without any upgrades or moving.

For me, the rule was a win-win for everyone. Less emissions, he liked the new product line better, and neighbors stopped complaining. Without the rule, he never would have looked into a new product line

John Podolinsky, MT Small Business Environmental Assistance Program: 2/4/2022

EPA Seeks Input on TSCA Section 8(a)(7) Rule: Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances

February 2, 2022

WASHINGTON - The U.S. Environmental Protection Agency (EPA) is inviting small businesses, governments, and not-for-profit organizations to participate as Small Entity Representatives (SERs) for a Small Business Advocacy Review (SBAR) Panel. This Panel will focus on the agency's development of a rule that would require reporting and recordkeeping for per- and polyfluoroalkyl substances (PFAS) from certain persons who have manufactured (including imported) a PFAS in any year since January 1, 2011.

In accordance with the Toxic Substances Control Act (TSCA) section 8(a)(7), [EPA proposed a rule in June 2021 \[epa.gov\]](#), to require reporting and recordkeeping from manufacturers (including importers) of PFAS. This rule proposed to require certain persons who have manufactured (including imported) a PFAS at any time since 2011 to submit certain information to EPA related to chemical identity, categories of use, volumes manufactured and processed, byproducts, environmental and health effects, worker exposure, and disposal.

The proposed rule would help EPA better understand the sources and quantities of PFAS manufactured in the United States and support the agency's PFAS research, monitoring, and regulatory efforts under the [PFAS Strategic Roadmap \[epa.gov\]](#). Once finalized, this rule would provide EPA with the most comprehensive dataset of PFAS manufactured in the United States. The public comment period for this proposed rule closed on September 27, 2021.

In response to public comments and additional information received during the comment period, EPA is interested in convening an SBAR Panel.

The Panel will include federal representatives from the Small Business Administration (SBA), the Office of Management and Budget (OMB), and EPA. The Panel members ask a selected group of SERs to provide advice and recommendations on behalf of their company, community, or organization to inform the Panel members about the potential impacts of the proposed rule on small entities.

EPA seeks self-nominations directly from the small entities that may be subject to the rule requirements. Other representatives, such as trade associations that exclusively or at least primarily represent potentially regulated small entities, may also serve as SERs.

Self-nominations may be submitted through the link below and must be received by February 16, 2022.

Nominate yourself as a SER: <https://www.epa.gov/reg-flex/potential-sbar-panel-tsca-section-8a7-rule-reporting-and-recordkeeping-requirements> [epa.gov]

Rhonda Wright, US EPA: 2/4/2022

NESHAP for Municipal Solid Waste Landfills Residual Risk and Technology Review; Correction

On Thursday, the Administrator of the U.S. Environmental Protection Agency (EPA) re-signed final technical revisions and clarifications for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for MSW Municipal Solid Waste Landfills established in the March 26, 2020, final rule. These technical revisions were initially signed on January 14, 2022; however, due to an administrative error, were re-signed on February 3, 2022.

Again, this final rule corrects inadvertent errors and clarifies wellhead monitoring requirements for the purpose of identifying excess air infiltration; delegation of authority to state, local or tribal agencies for “emission standards”; applicability of the General Provisions to affected MSW landfills; and handling of monitoring data for combustion devices during periods of monitoring system breakdowns, repairs, calibration checks and adjustments. EPA is finalizing amendments to the MSW Landfills New Source Performance Standards (NSPS) at 40 CFR part 60, subpart XXX, to clarify the timing of compliance for certain requirements of the MSW Landfills NSPS for existing MSW landfills that have modified but previously triggered the requirement to install a gas collection and control system under related MSW landfill rules. EPA is also revising the definition of Administrator in the MSW Landfills Federal Plan that was promulgated on May 21, 2021. The revision makes the definition consistent with other Federal plans such as the Federal Plan Requirements for Sewage Sludge Incineration Units (40 CFR part 62, subpart LLL), which distinguishes between the administrator of the federal plan and the administrator of a state plan. For more information and a prepublication version of the rule, visit: <https://www.epa.gov/stationary-sources-air-pollution/municipal-solid-waste-landfills-national-emission-standards>

MATS for Power Plants: Proposed: Reaffirmation of the Appropriate and Necessary Finding

On Monday, the Administrator signed the proposal to reaffirm the scientific, economic, and legal underpinnings of the 2012 Mercury and Air Toxics Standards (MATS) for power plants. The press release is below. The MATS pages are updated. The links are below.

Main page

[Mercury and Air Toxics Standards | US EPA](https://www.epa.gov/stationary-sources-air-pollution/mercury-and-air-toxics-standards)

<https://www.epa.gov/stationary-sources-air-pollution/mercury-and-air-toxics-standards>

Proposed rule page

[Proposed Revocation of the 2020 Reconsideration and Affirmation of the Appropriate and Necessary Supplemental Finding | US EPA](https://www.epa.gov/stationary-sources-air-pollution/proposed-revocation-2020-reconsideration-and-affirmation)

<https://www.epa.gov/stationary-sources-air-pollution/proposed-revocation-2020-reconsideration-and-affirmation>

[PRESS RELEASE] EPA Reaffirms Scientific, Economic, and Legal Underpinnings of Limits on Toxic Emissions

Action Would Ensure Continued Protection for Children and Vulnerable Communities

Contact: EPA Press Office, press@epa.gov

WASHINGTON (Jan. 31, 2022) – Today, EPA is proposing to reaffirm the scientific, economic, and legal underpinnings of the 2012 Mercury and Air Toxics Standards (MATS) for power plants, which require significant reductions of mercury, acid gases, and other harmful pollutants. Controlling these emissions improves public health for all Americans by reducing fatal heart attacks, reducing cancer risks, avoiding neurodevelopmental delays in children, and helping to restore certain ecosystem functions that people and businesses value. These public health improvements are especially important for children and particularly vulnerable segments of the population such as Indigenous communities, low-income communities, and people of color who live near power plants or are affected by hazardous air pollution. The proposal, which responds to President Biden’s January 20, 2021, Executive Order 13990, “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis,” would reverse a rule issued by the previous administration in May 2020, which undermined the legal basis for these vital health protections.

“Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution,” said **EPA Administrator Michael S. Regan**. “EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives.”

The proposal would leave the current emissions standards unchanged but would ensure the continuation of public health protections provided by these requirements, while seeking information from the public on opportunities for additional pollution reductions. Taking account of the burden that hazardous air pollutants including mercury impose on public health as well as the costs of controlling these emissions, EPA proposes to find that it is appropriate and necessary to regulate emissions of air toxics from power plants under the Clean Air Act.

The MATS, combined with advancements in the power sector, have driven sharp reductions in harmful pollutants. EPA has estimated that by 2017, mercury emissions from power plants were reduced by 86 percent, acid gas emissions were reduced by 96 percent, and non-mercury metal emissions were reduced by 81 percent compared to pre-MATS levels in 2010.

Prior to the MATS, power plants were the largest domestic source of mercury and other toxic pollutants such as hydrogen chloride and selenium. They were also among the largest domestic contributors of arsenic, chromium, cobalt, nickel, hydrogen cyanide, beryllium, and cadmium.

The initial appropriate and necessary finding was made in 2000 and affirmed in 2012 and 2016. In May 2020, the previous administration reversed EPA’s 2016 finding, undermining the legal basis for the Mercury and Air Toxics Standards. President Biden’s Executive Order 13990 directed EPA to review that finding and consider an action to rescind it. In today’s action, EPA proposes to find that the 2020 action was based on a fundamentally flawed interpretation of the Clean Air Act that improperly ignored or undervalued vital health benefits from reducing hazardous air pollution from power plants. Based on a thorough review of these benefits, the reasonable costs of controls, and other relevant factors, EPA is proposing to reaffirm that it is appropriate and necessary to regulate emissions of hazardous air pollutants from coal- and oil-fired power plants.

The agency is also continuing to consider the MATS Risk and Technology Review, as directed by Executive Order 13990, to determine whether more stringent protections for hazardous air pollution from power plants are feasible and warranted. To support that review, EPA is soliciting information on the performance and cost of new or improved technologies or methods of operation to control hazardous air pollution emissions, as well as risk-related information, as a part of this proposal.

EPA will accept comment on the proposal for 60 days after publication in the *Federal Register*. The agency also plans to hold a virtual public hearing. Details about the hearing will be announced online in the coming weeks.

Please contact press@epa.gov for a copy of the proposal.

Thanks in advance for sharing this with your stakeholders.

Nancy Larson, KS Small Business Environmental Assistance Program: 2/3/2022

Advocacy will be hosting a virtual Energy Roundtable on **Friday, February 11, 2022 from 1-2pm (ET)** to discuss a recent National Academy of Sciences report on DOE’s process for establishing energy efficiency standards and whether in light of this report DOE should reopen comments on its process rule.

Please see attached agenda and below for more information. Please RSVP to me to receive teleconference participation information.

***This invitation is public and may be forwarded.**

TO: Interested Persons

FROM: Prianka Sharma, Assistant Chief Counsel

SUBJECT: Roundtable to discuss reopening comments on Department of Energy's Process Rule

The Office of Advocacy will host a roundtable to discuss whether the United States Department of Energy should reopen comments on its 2021 final process rule in light of the National Academies of Sciences, Engineering, and Medicine (NAS) report entitled, "Review of Methods Used by the U.S. Department of Energy in Setting Appliance and Equipment Standards." The roundtable will take place on **Friday, February 11, 2022, from 1-2 p.m. (ET)**. Roundtable participation details will be provided upon receipt of RSVP. RSVPs should be sent to Prianka.Sharma@sba.gov. The purpose of the roundtable will be to gather small entity input and feedback on the issue for discussion.

Agenda

1:00 p.m. – 1:05 p.m. Introductory Remarks

Prianka Sharma, Assistant Chief Counsel, Office of Advocacy
Tyler Richards, Regulatory Economist, Office of Advocacy

1:05 p.m. – 1:20 p.m. Presentation on NAS Report

The report is available [here](#).^[1]

*Linda Cohen, Professor of Economics and Law, Emeritus,
University of California at Irvine (Committee Chair)*

*Susan Dudley, Director, GW Regulatory Studies Center
Distinguished Professor of Practice, Trachtenberg School of Public
Policy & Public Administration (Committee Member)*

1:20 p.m.- 2:00 p.m. Input from Interested Small Entity Representatives

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to prianka.sharma@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small entity concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Rhonda Wright, US EPA: 1/26/2022

On January 5, 2022, the EPA published a final rule adding 1-bromopropane (1-BP) to the list of hazardous air pollutants under section 112 of the Clean Air Act (HAP list). While the EPA has previously removed substances from the HAP list, this final rule is the first time that a substance has been added to the list. The final rule will be effective on February 4, 2022. This webinar will discuss the final rule and potential immediate or future regulatory impacts on facilities that emit 1-BP.

This virtual event is **FREE** and open to participants from state, tribal, and local environmental regulatory agencies, and to the U.S. EPA. **REGISTRATION IS REQUIRED.**

WEBINAR INFORMATION

DATE: Thursday, February 10, 2022

TIME: 2:00 PM – 4:00 PM (Eastern time)

WHERE: Microsoft Teams (link to be provided)

Click the link below to register. After registering, you will receive a confirmation email. A link to the webinar will be sent the day before the event.

<https://www.eventbrite.com/e/epa-webinar-for-states-addressing-implementation-of-1-bp-registration>

To learn more about this rule, please visit: <https://www.epa.gov/haps/petitions-add-1-bp-npb-clean-air-act-list-hazardous-air-pollutants>. For information on the CAA list of hazardous air pollutants and modifications to the list, please visit: <https://www.epa.gov/haps/initial-list-hazardous-air-pollutants-modifications>.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 1/31/2022

Received this information on a webinar from Dept. of Interior that is occurring today relating to orphaned wells. I don't think I'll be able to make it, but wanted to share to the group in the event that someone else would like to join in.

Subject: 5:30pm TODAY: Interior Briefing on Orphaned Wells

Today, the Department of the Interior will make an announcement about the formula for funding available to states from the Bipartisan Infrastructure Law to create jobs cleaning up orphaned oil and gas wells across the country. You are invited to join a virtual briefing for environmental justice and climate community leaders. DOI Officials will provide information on the thoughtful and methodical approach to implementing the orphaned oil and gas well program and answer questions.

DOI Officials:

- Steve Feldgus, Deputy Assistant Secretary of Land and Mineral Management
- Winnie Stachelberg, Senior Advisory and Infrastructure Coordinator

**Department of the Interior Briefing Call
on the Orphaned Oil and Gas Well Program
January 31st at 5:30 PM EST**

Register in advance here:

><https://www.zoomgov.com/meeting/register/vJIsCu-srT4rH7eTs-gpU5sxlucSf2DDiSk><

After registering, you will receive a confirmation email containing information about joining the meeting. Capacity for this briefing call is capped at 100 people, and admission will be prioritized based on order of registration.

Please email your questions to OIEA@ios.doi.gov, and the call moderator will read them to the presenters

Please check the Interior News page to find the press release and a social media toolkit, which will post later today, Monday January 31. If you have any questions about registration or the announcement, please contact: OIEA@ios.doi.gov.

Belinda Breidenbach, ID Small Business Development Center: 1/24/2022

Please join the Education Subcommittee as we visit the National SBEAP website annual report page and walk through the data collection tool step-by-step. The presentation is expected to last approximately 20 minutes and be followed by a question and answer session.

Informational Webinar Jan. 25, 2022

Are you new to Annual Reporting or do you have questions about what type of information should go into the report? Join us for an informational webinar on **Tuesday Jan. 25, 2022 at 2:00 pm Eastern**, 1:00 pm Central, 12 noon Mountain or 11:00 am Pacific. Simply click the link below or dial in to join. Can't attend that day? Check back on this page to view the recording.

Rhonda Wright, US EPA: 1/18/2022

On Friday, the U.S. Environmental Protection Agency (EPA) finalized technical revisions and clarifications for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills established in the March 26, 2020, final rule. These changes correct inadvertent errors and clarify wellhead monitoring requirements for the purpose of identifying excess air infiltration; delegation of authority to state, local or tribal agencies for “emission standards”; applicability of the General Provisions to affected MSW landfills; and handling of monitoring data for combustion devices during periods of monitoring system breakdowns, repairs, calibration checks and adjustments. EPA is finalizing amendments to the MSW Landfills New Source Performance Standards (NSPS) at 40 CFR part 60, subpart XXX, to clarify the timing of compliance for certain requirements of the MSW Landfills NSPS for existing MSW landfills that have modified but previously triggered the requirement to install a gas collection and control system under related MSW landfill rules. EPA is also revising the definition of Administrator in the MSW Landfills Federal Plan that was promulgated on May 21, 2021. The revision makes the definition consistent with other Federal plans such as the Federal Plan Requirements for Sewage Sludge Incineration Units (40 CFR part 62, subpart LLL), which distinguishes between the administrator of the federal plan and the administrator of a state plan. For more information and a prepublication version of the rule, visit: <https://www.epa.gov/stationary-sources-air-pollution/municipal-solid-waste-landfills-national-emission-standards>

John Podolinsky, MT Small Business Environmental Assistance Program: 1/13/2022

Join U.S. EPA for its next Enforcement and Compliance History Online (ECHO) webinar on **Tuesday, February 15, 2022, 1:30-2:30 PM EST**. This webinar focuses on how to use the **ECHO facility searches to learn about environmental and demographic data from EPA's [EJSCREEN \[lnks.gd\]](#)**. We will demonstrate examples of using ECHO searches and reports to view EJSCREEN data and how to interpret the information. The webinar will cover the following topics:

- How to search for environmental and demographic data in your community.

- How to view and interpret EJSCREEN index values at the location of a facility.
- How to visualize EJSCREEN data on an interactive map.

Register at <https://echo.epa.gov/help/training#upcoming> [lnks.gd] to save your spot. If you can't make it, don't worry, ECHO [tutorials](#) [lnks.gd] and [recorded webinars](#) [lnks.gd] are available at any time. Feel free to forward this announcement on to anyone who might be interested. Thank you for your interest in ECHO (<https://echo.epa.gov> [lnks.gd])!

Nancy Larson, KS Small Business Environmental Assistance Program: 1/13/2022

NEW EPA Grants Award Process Webinar

EPA invites all grant applicants and grant recipients to attend a Grants Award Process Webinar on **Wednesday, January 26, 2022, from 2:00-3:30 pm ET**. Hosted by EPA's Office of Grants and Debarment, this high-level webinar will cover topics related to finding and applying for grants as well as the basics of managing a grant award. Advance registration is required.

[Register Today](#)

Presentation materials and a list of helpful links will be available before the webinar on EPA's website at: <https://www.epa.gov/grants/epa-grants-award-process-webinars>. After the webinar, a recording will be posted to the same webpage.

Rhonda Wright, US EPA: 1/5/2022

On yesterday, Janet McCabe signed an action. As required by the Clean Air Act, EPA is finding that certain state and local air pollution control programs failed to submit State Implementation Plan (SIP) revisions to appropriately address excess emissions during periods of startup, shutdown, and malfunction (SSM). The following state and local areas failed to submit plans to correct SSM-related deficiencies in their SIPs by November 22, 2016:

Alabama	Ohio
Arkansas	Rhode Island
California – San Joaquin Valley Air Pollution Control District	South Dakota
District of Columbia	Tennessee – Shelby (Memphis)
Illinois	Washington – Energy Facility Site Evaluation Council
North Carolina - Forsyth	Washington – Southwest Clean Air Agency

This finding of failure to submit notifies states that they failed to meet their obligation to submit the necessary SIP revisions applying to excess emissions during periods of startup, shutdown, and malfunction (SSM). It also establishes a 24-month deadline for EPA to either approve SIPs or finalize

Federal Implementation Plans (FIPs) that would apply in areas that do not submit an approvable plan to address excess emissions during periods of SSM.

Once this action becomes effective, two sanctions clocks will start. These clocks and/or sanctions will be stopped once EPA determines the state has made a complete SIP submission.

1. Eighteen months after the effective date of this finding, a 2-to-1 offset ratio for the nonattainment New Source Review (NSR) permitting program will go into effect.
2. Six months after the date of offset sanctions, highway funding may be withheld in nonattainment areas.

EPA is committed to working with all the affected air agencies to support the development and submission of their state plan revisions and to ensure continued progress toward cleaner air.

More information is available at: <https://www.epa.gov/air-quality-implementation-plans/emissions-during-periods-startup-shutdown-malfunction-ssm>

Rhonda Wright, US EPA: 1/4/2022

On 12/22/21, the EPA Administrator signed a proposal to amend the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Primary Copper Smelting major sources and the 2007 NESHAP for Primary Copper Smelting area sources. EPA has evaluated the risks remaining after fully implementing the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Primary Copper Smelting major source category and determined that risks are unacceptable. To address these risks, EPA is proposing new emissions standards in the major source NESHAP for anode refining process fugitive emissions and work practices to minimize fugitive dust emissions, which will reduce risks to acceptable levels and provide an ample margin of safety to protect public health. EPA identified no additional cost-effective developments in practices, processes, or control technologies that would further reduce emissions of air toxics. Following a technology review conducted under the Clean Air Act, EPA is proposing minor amendments to the area source standards. EPA will accept comment on the proposed amendments for 45 days after publication in the *Federal Register*. A pre-publication version of the proposed rule and a fact sheet are posted at <https://www.epa.gov/stationary-sources-air-pollution/primary-copper-smelting-area-sources-national-emissions-standards> and <https://www.epa.gov/stationary-sources-air-pollution/primary-copper-smelting-national-emissions-standards-hazardous-air>

Rhonda Wright, US EPA: 1/4/2022

On December 22, 2021, the Administrator signed a notice adding 1-bromopropane (1-BP) to the Clean Air Act's list of hazardous air pollutants (also known as air toxics). This is the first time that EPA has added a pollutant to the list of hazardous air pollutants since Congress created the list through the 1990 Clean Air Act amendments. The chemical 1-BP is largely used in solvent degreasing, adhesives, furniture foam fabrication, and in other applications including the aerospace industry. EPA is modifying the list of hazardous air pollutants because the Agency has determined that 1-BP is a hazardous air pollutant and its emissions, ambient concentrations, bioaccumulation, or deposition are known to cause or may reasonably be anticipated to cause adverse effects to human health or the environment. Once added, facilities will need to include 1-BP in their assessment of their source size classification (i.e., area source or major source) for their facilities. EPA will be working to revise current NESHAP regulations and identify whether additional NESHAP are warranted. Under a separate action, EPA is developing a regulatory infrastructure that will address compliance and implementation issues that may arise from the addition of a chemical to the list of hazardous air pollutants. This regulatory infrastructure will be proposed for public

notice and comment in 2022 and is expected to be finalized in early 2023. More information, including a fact sheet and pre-publication version of the action, are available at <https://www.epa.gov/haps/petitions-add-1-bp-npb-clean-air-act-list-hazardous-air-pollutants>

Nancy Larson, KS Small Business Environmental Assistance Program: 12/27/2021

The next SBA, Office of Advocacy Environmental Roundtables will meet virtually to discuss the following topics on Thursday, January 6, 2022 as well as Monday, January 10, 2022. The meeting will be held using the Microsoft Teams platform. Send your RSVP to astrika.adams@sba.gov. A meeting link for both events will be provided to you when you RSVP.

Agenda for Thursday, January 6, 2022

- 11:00 AM – 11:05 AM Introductions**
Astrika Adams, Office of Advocacy, SBA
- 11:05 AM – 11:35 AM EPA’s and Army Corps’ Proposed Definition of “the waters of the United States” (WOTUS)**
TBD, Office of Water, EPA
TBD, Department of the Army, Army Corps of Engineers
- 11:35 AM – 12:30 PM Discussion and Q&A**
Astrika Adams, Office of Advocacy, SBA

Agenda for Monday, January 10, 2022

- 12:00 PM – 12:05 PM Introductions**
Astrika Adams, Office of Advocacy, SBA
- 12:05 PM – 12:35 PM EPA’s and Army Corps’ Proposed Definition of “the waters of the United States” (WOTUS)**
TBD, Office of Water, EPA
TBD, Department of the Army, Army Corps of Engineers
- 12:35 PM – 1:30 PM Discussion and Q&A**
Astrika Adams, Office of Advocacy, SBA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to astrika.adams@sba.gov. The purpose of these roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees’ individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

**Small Business Environmental Roundtable
Issues for Discussion
January 6, 2022 and January 10, 2022**

EPA's and Army Corps' Proposed Definition of "the waters of the United States" (WOTUS) under the Clean Water Act

The Environmental Protection Agency (EPA) and the Army Corps of Engineers through the Department of the Army (Army Corps) recently published their proposed regulations defining "the waters of the United States" (WOTUS) under the Clean Water Act (CWA). The proposed definition attempts to restore the 1986/88 regulations defining "the waters of the United States" while updating these regulations to conform to and account for applicable Supreme Court caselaw precedent. Importantly, the proposed definition incorporates both Justice Kennedy's "significant nexus" test as well as Justice Scalia's "relatively permanent" test.

At this roundtable, EPA and Army Corps will be providing an overview of the proposed regulation defining "the waters of the United States." The January 6, 2022 Roundtable will emphasize the applicability of the proposed regulation to members of the agricultural community. Time will be available for discussion and questions directed to both EPA and Army Corps.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 12/21/2021

Attached are the minutes for today's subcommittee call. It was a good discussion relating to the 6H rule. Also attached is the letter requesting an extension to the comment period for the 6H proposed rule. This letter is planned to be submitted by close of business today (4:30 CST). If there are any comments for this letter, please let me know as soon as possible. Overall, it is just a general request. And the third attachment is the draft comments for the 6H rule. As we hope to get an extension, comments will be due January 21st (though please send them in earlier rather than later!). If the extension is not granted, the comments will be submitted on January 3rd, the final day for comments on the 6H rule. As such, please review the comments and if you have edits to suggest, please include myself, Tony Pendola, Jennifer Collins, and Mark Stoddard in your email.

R Donovan Grimwood, TN Small Business Environmental Assistance Program: 12/29/2021

Thank you to the group that has provided comments and edits on this already. Working together, we have gotten the comments together and cleaned them up so that they are clear and specific. Thank you! Jennifer has let me know that EPA has let her know that the comment period will not be extended as per our request. As such, I am planning to submit the comments (attached) on Friday morning (this will allow states west of me the full day in which to make any comments or suggestions). I've already accepted/incorporated the edits and comments made so far and cleaned up where the tracking might have masked a minor typographical issue. Tony, I do have a question on this section: **A recent example is a paint manufacturer that has not produced a target HAP-containing paint in years, but they came across a special Original Equipment Manufacturer (OEM) automotive finish they could not properly match without using target HAPs. The autobody shop should not be subject to an entire rule simply to process one OEM paint color for an incredibly rare car that cannot be matched despite the paint manufacturer's best efforts.** Was it a paint manufacturer or autobody shop that came across the OEM finish? If an auto body shop, I suggest the following edit: **A recent example is an autobody shop that has not used a target HAP-containing paint in years, which came across a special Original Equipment Manufacturer (OEM) automotive finish they could not properly match without using paints with target HAPs. The autobody shop should not be subject to an entire rule simply to process one OEM paint color for a rare car that cannot be matched despite an autobody**

shop and paint manufacturer's best efforts. This should show that the autobody shop received the job and worked with the paint manufacturer to find a non-target HAP solution, but still had to use one with a target HAP.

Nancy Larson, KS Small Business Environmental Assistance Program: 12/16/2021

New EPA Grants Update: The Office of Grants and Debarment (OGD) would like to announce the publication of a new Disadvantaged Business Enterprise (DBE) Program training. This optional online training course is designed to introduce EPA grant applicants and recipients to key aspects of the DBE Program, including if, when, and how to complete and submit EPA Form 5700-52A. The training is located on OGD's Recipient's Training page (<https://www.epa.gov/grants/recipient-training-opportunities>), as well as, through the direct hyperlink included below. [Accurately Completing EPA Form 5700-52A \(MBE/WBE Utilization Report Form\) and Other Collateral Disadvantaged Business Enterprise \(DBE\) Program Requirements](#) If you have any questions about this training or experience any issue accessing the training, please email us directly at: EPA_Grants_Info@epa.gov

Rhonda Wright, US EPA: 12/14/2021

On Monday, EPA extended the public comment on [the Agency's proposed comprehensive new protections](#) to sharply reduce pollution from the oil and natural gas industry to January 31, 2022. The previous comment deadline was January 14, 2022.

The proposed Clean Air Act rules, announced November 2, 2021, would lead to significant, cost-effective reductions in methane emissions and other health-harming air pollutants that endanger nearby communities. The proposal would expand and strengthen emissions reduction requirements that are currently on the books for new, modified and reconstructed sources in the oil and natural gas industry and would require states to reduce methane emissions from hundreds of thousands of existing sources nationwide for the first time. In addition, the proposal would encourage the use of innovative methane detection technologies and other cutting-edge solutions, many of which are being developed and deployed by small businesses providing good-paying jobs across the United States.

To read the comment period extension notice, visit: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/epa-extends-comment-period-proposed-new>

For instructions on submitting public comment on the proposal, see: <https://www.epa.gov/system/files/documents/2021-11/epas-2021-oil-and-gas-proposal.-how-to-comment.pdf>

Rhonda Wright, US EPA: 12/14/2021

On Friday, Dec. 10, 2021, the EPA Administrator signed a final action finding that New York and Pennsylvania failed to submit timely state implementation plan (SIP) revisions necessary to satisfy certain Clean Air Act and EPA requirements for implementing the 2015 ozone National Ambient Air Quality Standards. Specifically, the action finds that the two states have not provided required SIP revisions for the 2016 Oil and Natural Gas Industry Control Techniques Guidelines (CTG) for the 2015 ozone standards. The findings establish a 24-month deadline for EPA to either approve SIPs or finalize Federal Implementation Plans addressing sources in these states covered by the CTG. The findings also establish timelines for the implementation of two mandatory sanctions that will take effect if New York and Pennsylvania do not submit complete SIPs to address the CTG, as required by the Clean Air Act.

More information is available at <https://www.epa.gov/ground-level-ozone-pollution/finding-failure-submit-state-implementation-plans-2015-ozone-national> .

Tony Pendola, NC Small Business Environmental Assistance Program: 12/8/2021

FYI - EPA is proposing to deny all pending small refinery exemption (SRE) petitions from the Renewable Fuel Standards <https://www.epa.gov/renewable-fuel-standard-program/proposal-deny-petitions-small-refinery-exemptions>

Nancy Larson, KS Small Business Environmental Assistance Program: 11/22/2021

For programs interested in or involved in citizen science projects.

EPA Tools & Resources Webinar

Community and Citizen Science: Making Your Data Count

Wednesday, December 15 from 3-4 PM ET

How can community and citizen science contribute to environmental decision-making? Many EPA, state, and tribal environmental programs are increasingly using community and citizen science for environmental monitoring and addressing social and environmental justice concerns. A recent multi-stakeholder workshop explored gaps and needed improvements in data management that will allow for a more efficient flow of data from producers to users. This webinar will showcase community-oriented projects and share ideas from the workshop. Please attend this webinar to learn about the tools and practices used in these exciting community and citizen science projects and how EPA, states, and tribal governments can better support these efforts. [Register here for the Community and Citizen Science: Making Your Data Count webinar.](#)

Rhonda Wright, US EPA: 11/19/2021

The Administrator has signed the final rule responding to the Court remand of ozone designations for El Paso County, TX and Weld County, CO for the 2015 NAAQS. EPA has completed its response to the D.C. Circuit Court's remand of certain air quality designations for the 2015 Ozone National Air Quality Standards by expanding its initial designations for the Doña Ana County (Sunland Park Area), New Mexico and Denver Metro/North Front Range, Colorado nonattainment areas. In the case of the Doña Ana County, New Mexico area, the nonattainment area now includes all of El Paso County, Texas and has been renamed El Paso-Las Cruces, Texas-New Mexico nonattainment area. The Denver Metro/North Front Range, Colorado nonattainment area now includes all of Weld County. The prepublication rule and supporting documents are available here: <https://www.epa.gov/ozone-designations/final-rule-additional-revised-air-quality-designations-2015-ozone-national>.

Rhonda Wright, US EPA: 11/15/2021

The below rulemaking is now PUBLISHED:

The Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, 63110-63263

<https://www.govinfo.gov/content/pkg/FR-2021-11-15/html/2021-24202.htm>

<https://www.govinfo.gov/content/pkg/FR-2021-11-15/pdf/2021-24202.pdf>

For more information regarding this regulatory action, please visit: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>.

Nancy Larson, KS Small Business Environmental Assistance Program: 11/9/2021

It is not too late to apply for Environmental Education Grants....

EPA Seeks Applicants for 2021 Environmental Education Grants, Applications due December 6, 2021


Up to \$3 million in funding for locally-focused grants are now available

EPA announced up to \$3 million in funding for locally-focused environmental education grants under the Environmental Education (EE) Local Grant Program. EPA will award grants in each of EPA's 10 Regions, for no less than \$50,000 and no more than \$100,000 each, for a total of 30-40 grants nationwide. The 2021 Requests for Application (RFA) notice is now posted on www.grants.gov. Applications are due Dec. 6, 2021. Applicants should choose the RFA that is for the location of the project. EPA's Office of Environmental Education will also host two webinars on how to write a competitive application and to address commonly asked questions related to the 2021 EE Local Grants RFA.

Press Release: <https://www.epa.gov/newsreleases/epa-seeks-applicants-2021-environmental-education-grants>

Grant notice: <https://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice>

Below you will find an invitation to a new educational webinar from US EPA and the Center for EcoTechnology. This webinar will include strategies to reduce food waste and provide information on the *science of anaerobic digestion*. Note the invite time is listed as Eastern Time.




Reducing Food Waste in K-12 Schools: Strategies for Prevention, Donation, and Recycling

NOVEMBER 17, 2021 | 3:00 PM - 4:30 PM

Learn about wasted food prevention, donation, diversion opportunities; get a deeper understanding of anaerobic digestion, and hear success stories from schools.

wastedfood@cetonline.org

Did you know that up to **40% of food grown and imported into the U.S. is wasted**? This represents an opportunity for schools to implement wasted food management practices that save money, benefit society, build student engagement, and improve the environment.

Join this virtual workshop hosted by the **Center for EcoTechnology (CET)** to learn about how your school can implement wasted food prevention, donation, and diversion programs. The workshop will highlight, among other strategies, information about separating food scraps for anaerobic digestion, one method to divert food waste while generating energy. We will also share stories of successful programs in local schools.

Participants will leave with an understanding of the next steps for building wasted food management into their operations and access to digital resources and guidance documents. All attendees will also have access to free one-on-one support from CET.

[REGISTER HERE!](#)

Please reach out to wastedfood@cetonline.org with any questions.

You can find complete details in the event registration form. We will be sharing a final agenda and list of speakers with registered attendees prior to the event.

This workshop is made possible by funding from EPA's Supporting Anaerobic Digestion in Communities Grant.

Rhonda Wright, US EPA: 11/2/2021

On November 1, 2021, the U.S. Environmental Protection Agency (EPA) made minor technical corrections to four promulgated rules under the National Emissions Standards for Hazardous Air Pollutants (NESHAP). The rules to be amended by this action include the following four NESHAP:

- **Surface Coating of Automobiles and Light-Duty Trucks**, subpart IIII, promulgated July 8, 2020;
- **Surface Coating of Metal Cans**, subpart KKKK, promulgated February 25, 2020;
- **Boat Manufacturing**, subpart VVVV, promulgated March 20, 2020; and
- **Clay Ceramics Manufacturing**, subpart KKKKK, promulgated November 1, 2019.

This action makes minor corrections to typographical errors found after publication and does not result in any change in emission standards, work practice standards, compliance requirements, or other requirements in the four rules being amended.

Since these corrections do not substantially change the actions taken in the four final rules, EPA is finalizing this action without prior proposal or opportunity for comment as allowed by section 553 of the Administrative Procedure Act.

More information is available on the following websites:

- [Surface Coating of Automobiles and Light-Duty Trucks](#)
- [Surface Coating of Metal Cans](#)
- [Boat Manufacturing](#)
- [Clay Ceramics Manufacturing](#)

Rhonda Wright, US EPA: 11/2/2021

On November 1, 2021, the U.S. Environmental Protection Agency (EPA) proposed minor amendments to the 2008 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. Following a technology review, EPA is proposing to find that there have been no cost-effective developments that would further reduce air toxics since the original NESHAP was promulgated. EPA is also proposing to amend provisions regarding electronic reporting; make miscellaneous clarifying and technical corrections; simplify the petition for exemption process; and clarify requirements addressing emissions during periods of startup, shutdown and malfunction (SSM). More information, including a summary fact sheet and a pre-publication version of the proposed amendments, is available at: <https://www.epa.gov/stationary-sources-air-pollution/paint-stripping-and-miscellaneous-surface-coating-operations>

Tony Pendola, NC Small Business Environmental Assistance Program: 11/2/2021

On Friday and Monday, the Administrator signed four final air toxics rules:

Final Air Toxics Standards for Carbon Black Production

On November 1, 2021, the U.S. Environmental Protection Agency (EPA) finalized amendments to the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Carbon Black Production source category. EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks are acceptable and the standards provide an ample margin of safety to protect public health and the environment. The technology review of the standards for Carbon Black production major source and area facilities did not identify any developments that would further reduce hazardous air pollutant emissions beyond the original NESHAP.

EPA is finalizing other changes to the original NESHAP for this source category and has determined that the standards continue to provide an ample margin of safety to public health and the environment.

More information, including a summary fact sheet and a pre-publication version of the final rule, is available at: <https://www.epa.gov/stationary-sources-air-pollution/acetal-resins-acrylic-modacrylic-fibers-carbon-black-hydrogen>.

Final Air Toxics Standards for Cyanide Chemicals Manufacturing

On November 1, 2021, the U.S. Environmental Protection Agency (EPA) finalized amendments to the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Cyanide Chemicals Manufacturing source category. EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks are acceptable, and the standards provide an ample margin of safety to protect public health and the environment. EPA identified no technology-related developments that would lower emissions beyond the original NESHAP. As a result, EPA is not amending the NESHAP as a part of the technology review. However, as a part of our technology review, we did identify previously unregulated emission sources and finalized changes to the NESHAP that add standards for these sources.

EPA is finalizing other changes to the original NESHAP for this source category and has determined that the standards continue to provide an ample margin of safety to public health and the environment.

More information, including a summary fact sheet and a pre-publication version of the final rule, is available at: <https://www.epa.gov/stationary-sources-air-pollution/acetal-resins-acrylic-modacrylic-fibers-carbon-black-hydrogen>.

Final Air Toxics Standards for Flexible Polyurethane Foam NESHAP and RTR Final Rule

On October 29, 2021, the U.S. Environmental Protection Agency (EPA) finalized amendments to the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Flexible Polyurethane Foam Fabrication Operations major source category. EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks are acceptable. EPA identified one technology-related development that is a current industry practice. Accordingly, EPA is amending the definition of “hazardous air pollutants (HAP)-based adhesive” so that major source new and existing loop slitters are prohibited from using adhesives containing one percent or more by weight of total HAP.

EPA is finalizing minor changes to the original NESHAP for these major source and area source categories and has determined that the standards continue to provide an ample margin of safety to public health and the environment.

More information, including a summary fact sheet and a pre-publication version of the final rule, is available at: <https://www.epa.gov/stationary-sources-air-pollution/flexible-polyurethane-foam-fabrication-operations-national-emission>.

Final Air Toxics Standards for Refractory Products Manufacturing

On October 29, 2021, The U.S. Environmental Protection Agency (EPA) finalized amendments to the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Refractory Products Manufacturing source category. EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks are acceptable, and the standards provide an ample margin of safety to protect public health and the environment. EPA identified one technology-related development that reflects current industry best practices. As a result, EPA is amending the work practices that are required to minimize air toxics emissions during scheduled maintenance of control devices for continuous kilns.

EPA is finalizing other changes to the original NESHAP for this source category and has determined that the standards continue to provide an ample margin of safety to public health and the environment.

More information, including a summary fact sheet and a pre-publication version of the final rule, is available at: <https://www.epa.gov/stationary-sources-air-pollution/refractory-products-manufacturing-national-emissions-standards>.

EPA has filed a motion with the DC Circuit Court indicating that **EPA will reconsider the 2020 decision to retain 2015 standards**, based on the existing scientific record.

As with the reconsideration of the particulate matter National Ambient Air Quality (NAAQS), EPA will reconsider the decision to retain the ozone NAAQS in a manner that adheres to rigorous standards of scientific integrity and provides ample opportunities for public input and engagement. This action reflects the Agency's renewed commitment to a rigorous NAAQS review process, with a focus on protecting scientific integrity. EPA will ensure the Clean Air Scientific Advisory Committee (CASAC) is fully equipped to advise the Administrator and will reinstall an ozone CASAC panel to provide targeted expertise and advice, as requested by the CASAC itself.

EPA is targeting the end of 2023 to complete this reconsideration.

EPA established the current standards at a level of 70 parts per billion in 2015 and retained them in 2020. EPA has received numerous legal challenges to the 2020 decision. In addition, the 2020 review was completed without the benefit of an ozone-specific panel supporting the Clean Air Scientific Advisory Committee.

Background

While ozone levels have fallen by more than 20 percent over the past 20 years, about 100 counties have measured ozone levels above the 2015 standards. The Agency is working closely with State, Tribal, and local air agencies to ensure appropriate area designations and nonattainment area classifications are in place. In addition, EPA will continue to ensure that State, Tribal, and local air agencies comply with applicable planning and control requirements in order to attain and maintain the 2015 standards, while this reconsideration is underway.

More information about ground-level ozone and the most recent review of the ozone NAAQS is available at: <https://www.epa.gov/ground-level-ozone-pollution>.

White House Environmental Justice Advisory Council Public Virtual Meeting

The EPA has confirmed the dates for the next White House Environmental Justice Advisory Council (WHEJAC) public meeting. This virtual two-day meeting is free and open to the public. Members of the public are encouraged to provide comments relevant to the specific issues being considered by WHEJAC.

When: November 17 and 18, 2021 from approximately 3:00 pm – 7:30 pm (EST)

Register here: <https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council>

Individual registration is **REQUIRED** and is available through the scheduled end time of the meeting day.

Agenda: The meeting discussion will focus on several topics including, but not limited to the discussion and deliberation of draft recommendations to the Chair of the Council on Environmental Quality and the White House Interagency Council on Environmental Justice from the Justice40 Work Group, Climate and Economic Justice Screening Tool Work Group and the Scorecard Work Group.

The meeting agenda and other meeting support materials including the public comments will be posted in the public docket [Docket ID No. EPA-HQ-OA-2021-0683](#) as they become available at <http://www.regulations.gov>.

Public Comment Period: A public comment period relevant to the specific issues will be considered by the WHEJAC during the public meeting. Registration to speak during the public comment period will close at 11:59 p.m., (EDT), on November 10, 2021. Also, submitting written comments for the record are strongly encouraged. Submit your written comments, identified by [Docket ID No. EPA-HQ-OA-2021-0683](#) at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Written comments can be submitted up to two (2) weeks after the meeting date. Submit your comments to Docket ID No. EPA-HQ-AO-2021-0683 or by one of the following methods:

- www.regulations.gov: Follow the online instructions for submitting comments.
- Email: Send comments by electronic mail (email) to: whejac@epa.gov, Attention Docket ID No. EPA-HQ-AO-2021-0683.
- Webform: Use the webform at <https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council#whejacmeeting> and email any additional materials to whejac@epa.gov.

Rhonda Wright, US EPA: 11/2/2021

The U.S. Environmental Protection Agency (EPA) is taking a significant step forward in fighting the climate crisis through a proposed rule that would reduce methane and other harmful pollutants from the oil and natural gas industry. The industry is the largest industrial source of U.S. emissions of methane, a potent greenhouse gas. Oil and gas facilities and operations also emit smog-forming volatile organic compounds and toxic air pollutants such as benzene. EPA reviewed its rules for the oil and natural gas industry in response to President Biden's Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis.

To help engage with our stakeholders on the proposed oil and natural gas methane rule, EPA will host three half-day training events. The training will provide: background information on the oil and gas production process; an overview of the proposed rules; panel discussions with environmental justice communities, tribes, and small business stakeholders; and information on how to effectively engage in the regulatory process. This event will be open to the public; however, the targeted audiences are communities/environmental justice stakeholders, tribes, and small business stakeholders. These events will be held using Zoom, and a toll-free call-in number will be available. To learn more about this rule and the training, please visit this link: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/epa-host-trainings-november-16-18-2021-epas>.

This virtual event is **FREE** and open to the public. **REGISTRATION IS REQUIRED**

TRAINING INFORMATION:

DATE: Tuesday, November 16, 2021 – Targeting EJ Communities and Tribes

TIME: 12:30PM – 5:00PM (Eastern time)

TOPICS:

- Background: Understanding the Oil and Gas Production Process, Climate- and Health-Impacts, and
- Overview of the Oil and Gas Proposed Rulemaking

DATE: Wednesday, November 17, 2021 – Targeting EJ Communities and Tribes

TIME: 12:30PM – 5:00PM (Eastern time)

TOPICS:

- Dialogue Among Grassroot Community Members and Tribal Nations,
- How to Participate in the Comment Period and Public Hearings, and
- Group Discussions

DATE: Thursday, November 18, 2021 – Targeting Small Business Stakeholders

TIME: 12:30PM – 6:30PM (Eastern time)

TOPICS:

- Overview of the Oil and Gas Proposed Rulemaking and the Small Business Advocacy Review Panel,
- Dialogue Among Small Businesses Stakeholders,
- How to Participate in the Comment Period and Public Hearings, and
- Group Discussions

See below for training details.

HOW TO REGISTER: Click the link below to register for the upcoming training events. After registering, you will receive a confirmation email containing information on how to join the webinar.

<https://usepa2021oilandgastraining.eventbrite.com>

We look forward to your participation and encourage you to share this invitation with others in the Small Business community who may be interested.

Please share with your stakeholders.

Rhonda Wright, US EPA: 11/2/2021

Yesterday, the Administrator signed a proposed rule that will take a significant step in fighting the climate crisis and protecting public health. This proposal would sharply reduce methane and other harmful air pollution from both new and existing sources in the oil and natural gas industry. The proposal would expand and strengthen emissions reduction requirements that are currently on the books for new, modified and reconstructed oil and natural gas sources, and would require states to reduce methane emissions from hundreds of thousands of existing sources nationwide for the first time. A prepublication version of the proposal, supporting technical documents and summary fact sheets are available on the web at: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/actions-and-notice-about-oil-and-natural#regactions>.

Nancy Larson, KS Small Business Environmental Assistance Program: 11/1/2021

I want to share information about an exciting One Health webinar series for states that will be held November 3rd, in commemoration of One Health Day, and November 17th, from 4:00-5:00 pm ET. The flyer is attached with links to registration. The webinars are being hosted by EPA ORD with our state partners at ASTHO, ECOS and AFWA.

One Health is a collaborative, multisectoral, and trans-disciplinary approach – working at local, regional, national, and global levels – to achieve optimal health and well-being outcomes recognizing the interconnections between people, animals, plants and their shared environment. In other words, it is a systems approach that considers contributions of the environment, animals, humans, and plants in a holistic manner.

Many Departments and Agencies have adopted this approach to better understand the linkages between human, animal, and plant health and the environment. By taking these factors into consideration, better and more relevant data and decision support tools can be developed and used to address specific issues, such as those related to the environment, environmental health, fish and wildlife, as part of a system that influences the outcome.

Jenifer Dixon, MI Small Business Environmental Assistance Program: 10/28/2021

EPA Appoints New Members to National Environmental Justice Advisory Council

The U.S. Environmental Protection Agency (EPA) announced the appointment of ten new members to the National Environmental Justice Advisory Council (NEJAC). Established in 1993, the NEJAC provides advice and recommendations about broad, cross-cutting issues related to environmental justice to the EPA administrator.

“The NEJAC’s role in this administration is critical to ensuring that EPA is delivering on its commitment to protect overburdened and underserved communities in America,” **said EPA Administrator Michael S. Regan**. “I’ve already gained critical insight from the NEJAC, which has informed key policy, enforcement, and granting decisions to reduce exposure to dangerous pollution. It is with great pleasure that I welcome these expert new members of the NEJAC, and I look forward to their counsel so we can go even further, together.”

These new members are coming to the NEJAC from academia, community-based organizations, non-governmental organizations, state and local governments, and tribal governments. They will serve for an initial one-year term.

EPA selected new members from a very large pool of qualified candidates. Selections were made in accordance with the NEJAC charter to achieve balance and diversity in terms of geographic location, gender, ethnicity, and stakeholder perspective.

The new NEJAC members and their affiliations are:

Academia

- Jill Lindsey Harrison, PhD – University of Colorado Boulder

Community Based Organizations

- Leticia Colon de Mejias – Energy Efficiencies Solutions (EES)/ Green ECO Warriors
- Rev. Dr. Ambrose Carroll, Sr. Green – The Church
- Sofia Owen – Alternatives for Community & Environment (ACE)

Non-Governmental Organizations

- Brenda Torres – San Juan Bay Estuary Program
- Andy Kricun – US Water Alliance

Tribal Indigenous Governments and Organizations

- Jonathan Perry – Becenti Chapter
- Scott Clow – Ute Mountain Ute Tribe

State and Local Government

- Charles Bryson – City of St. Louis Civil Rights Enforcement Agency
- Felicia Beltran – Arizona Department of Transportation

In addition, EPA would like to thank the following departing members of the NEJAC, who have all provided invaluable voices on environmental justice to the EPA:

- Sacoby Wilson, Ph.D. – Community Engagement Environmental Justice and Health Initiative Maryland Institute of Applied Environmental Health
- Cheryl Johnson – People for Community Recovery
- Richard Moore – Los Jardines Institute
- Hermila Trevino-Sauceda – Alianza Nacional de Campesinas
- Melissa McGee-Collier – Office of Community Engagement Mississippi Department of Environmental Quality
- Dennis Randolph – City of Kalamazoo Department of Public Engineer
- Kelly Wright – Environmental Waste Management Shoshone-Bannock Tribes

For more information about the NEJAC: <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council>

For more information about applying for the

NEJAC: <https://www.epa.gov/environmentaljustice/nominations-nejac>

To read the NEJAC Charter: <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council-charter>

Nancy Larson, KS Small Business Environmental Assistance Program: 10/26/2021

EPA Responds to New Mexico Governor and Acts to Address PFAS Under Hazardous Waste Law

WASHINGTON (Oct. 26, 2021) – Today, the U.S. Environmental Protection Agency (EPA) announced it is acting upon a petition from Governor Michelle Lujan Grisham of New Mexico to tackle PFAS contamination under the Resource Conservation and Recovery Act (RCRA). In responding to the petition, EPA outlined plans to initiate the rulemaking process for two new actions under the hazardous waste law, reflecting the agency’s focus on using best available science and leveraging authorities to combat this shared challenge.

“We can only make progress for communities suffering from PFAS pollution if we work collaboratively across levels of government and harness our collective resources and authority,” **said EPA Administrator Michael S. Regan**. “Today, we are taking important steps toward developing new scientific approaches to confront these dangerous chemicals and strengthening the ability to clean up PFAS contamination. I thank Governor Lujan Grisham for her engagement and leadership, which will lead to better protections for people in New Mexico and across the country.”

“I applaud Administrator Regan for empowering states to follow New Mexico’s lead and hold PFAS polluters accountable,” **said Governor Lujan Grisham**. “By taking an urgent and science-based approach to this issue, we’re helping to protect communities in New Mexico and around the country.”

Governor Lujan Grisham's petition requested that PFAS be identified as hazardous waste under RCRA, either as a class or as individual chemicals. In today's response, EPA is announcing the initiation of two rulemakings. First, the agency will initiate the process to propose adding four PFAS chemicals as RCRA Hazardous Constituents under Appendix VIII, by evaluating the existing data for these chemicals and establishing a record to support such a proposed rule. The four PFAS chemicals EPA will evaluate are: perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorobutane sulfonic acid (PFBS), and GenX. Adding these chemicals as RCRA Hazardous Constituents would ensure they are subject to corrective action requirements and would be a necessary building block for future work to regulate PFAS as a listed hazardous waste.

The second rulemaking effort will clarify in our regulations that the RCRA Corrective Action Program has the authority to require investigation and cleanup for wastes that meet the statutory definition of hazardous waste, as defined under RCRA section 1004(5). This modification would clarify that emerging contaminants such as PFAS can be cleaned up through the RCRA corrective action process.

These actions build on EPA's broader strategy to comprehensively address PFAS pollution across the country, following its announcement last week of the PFAS Strategic Roadmap. The roadmap commits EPA to bold new policies to safeguard public health, protect the environment, and hold polluters accountable. The actions described in the PFAS Roadmap each represent important and meaningful steps to safeguard communities from PFAS contamination. Cumulatively, these actions will build upon one another and lead to more enduring and protective solutions.

View Governor Lujan Grisham's petition and the response: <https://www.epa.gov/hw>.

Learn more about EPA's Council on PFAS: <https://www.epa.gov/pfas/epa-actions-address-pfas>.

Background:

PFAS are a group of man-made chemicals that includes PFOA, PFOS, PFBS, GenX, and many other chemicals. PFAS have been manufactured and used in a variety of industries around the globe, including in the United States since the 1940s. PFOA and PFOS have been the most extensively produced and studied of these chemicals. Both chemicals are very persistent in the environment and in the human body – meaning they do not break down, and they can accumulate over time. Evidence indicates that exposure to PFAS can lead to adverse human health effects.

Learn more about PFAS: <https://www.epa.gov/pfas/basic-information-pfas>.

Allison Crowther, KS Small Business Environmental Assistance Program: 10/25/2021

The Promotion subcommittee is holding a training session on webinars this Thursday, October 28th at 10:00 CT/11:00 ET. Dan Sowry (OH), Jenifer Dixon (MI), and I (Allison Crowther, KS) will discuss the benefits to your program of offering webinars and online training, as well as tips on how to organize them, including topics such as

- Recruiting and coordinating with speakers
- Marketing
- Audience engagement
- Registration, evaluation, and metrics

I have included login information below, and I will be sending out a calendar invite as well

Lynelle Ladd, KS Small Business Environmental Assistance Program: 10/21/2021

In case you didn't see this announcement. First-ever PFAs reporting in TRI now available for viewing.



IT'S YOUR RIGHT TO KNOW!

Toxics Release Inventory (TRI) Program

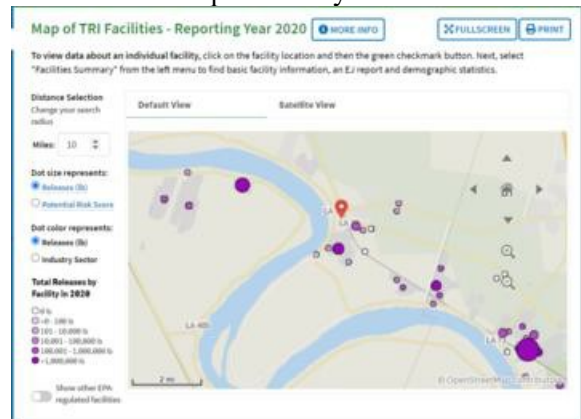
Providing Pollution Prevention and Toxic Chemical Release Information

2020 TRI Data Now in Online TRI Tools

EPA has made available updated 2020 TRI data about chemical releases, chemical waste management, and pollution prevention activities that took place during 2020 at more than 21,000 federal and industrial facilities throughout the U.S. and its territories. This dataset builds on the preliminary data released in July. It includes revised and late submissions from facilities, and reflects additional data quality checks by EPA.

Community members and others can use the 2020 TRI data to identify how many facilities operate in a given geographic area and where they are located, as well as which chemicals facilities have released or otherwise managed as waste and in what quantities.

EPA's full analysis of the 2020 data will be published early next year in the 2020 TRI National Analysis, and will examine numerous aspects of the data, including trends in releases, waste management reporting by parent companies, and how facilities are working to reduce pollution.



First-Ever PFAS Reporting

The 2020 TRI dataset includes the first-ever reporting on the 172 per- and polyfluoroalkyl substances (PFAS) added to the TRI by the 2020 National Defense Authorization Act (NDAA).

At this time, EPA has received 91 TRI reporting forms for 43 discrete PFAS submitted by 39 facilities. The data indicate facilities managed over 841,000 pounds of production-related PFAS during 2020.

The 2020 TRI National Analysis will include discussion on the quantities of the PFAS released into the environment, recycled, burned for energy recovery or treated; source reduction activities implemented on PFAS; the facilities and sectors that disclosed this information; and the communities in which these

activities took place. The National Analysis will provide insights regarding the seemingly limited scope of the reporting, including the types and number of facilities reporting and the specific PFAS reported. As part of the recently released [PFAS Roadmap](#), EPA plans to enhance PFAS reporting under the TRI by proposing a rulemaking that would, among other changes, remove the eligibility of the *de minimis* exemption. The *de minimis* exemption allows covered facilities to disregard certain minimal concentrations of non-persistent, bioaccumulative and toxic chemicals in mixtures or trade name products. This proposal would make unavailable the *de minimis* exemption with regard to providing supplier notifications to downstream TRI facilities. Because PFAS are used at low concentrations in many products, the elimination of the *de minimis* exemption will result in a more complete picture of the releases and other waste management quantities of these chemicals.

Accessing the 2020 Data

The 2020 data are available in the online TRI tools and data files, including the location-based TRI factsheets.

[Get 2020 Data](#)
www.epa.gov/tri

Rhonda Wright, US EPA: 10/21/2021

EPA is in the process of developing rulemaking actions that would address a number of states' interstate air pollution transport (or "good neighbor") obligations under the Clean Air Act for the 2015 8-hour ozone NAAQS. In these actions, EPA will make findings regarding ozone precursor emissions reductions that are required to eliminate significant contribution to downwind nonattainment of the NAAQS or interference with maintenance of the NAAQS. Prior good neighbor rulemakings have addressed multiple states covering a wide region of the country, primarily in the eastern U.S. **On Tuesday, October 26, 2021, EPA will host a webinar from 1:00-2:30pm EST** to solicit input from stakeholders regarding these regulatory actions.

Rhonda Wright, US EPA: 10/14/2021

Hi all – yesterday, the Administrator signed a notice and letters denying a petition for reconsideration and request for administrative stay of its November 24, 2020 final rule "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting." This rule revised the NSR regulations to make clear that both emissions increases and decreases from a modification (a physical change or change in operation) can be considered during Step 1 of the two-step NSR applicability test in what we refer to as project emissions accounting.

EPA is taking no action at this time on the request within the petition for reconsideration that EPA withdraw the March 2018 guidance memorandum "Project Emissions Accounting Under the New Source Review Preconstruction Permitting Program."

Petitioners did not meet the Clean Air Act 307(d)(7)(B) requirements for reconsideration because they did not raise their specific concerns during the proposal comment period. However, the Agency believes that the Petition for Reconsideration does raise concerns regarding the policy and regulations adopted in the Project Emissions Accounting Rule. EPA will voluntarily be convening a rulemaking process to review and potentially revise our NSR applicability provisions.

More information is available at: <https://www.epa.gov/nsr/notice-action-denying-petition-reconsideration-and-administrative-stay-project-emissions>

John Podolinsky, MT Small Business Environmental Assistance Program: 10/12/2021

I wanted to forward you the email from Mark Smith, R8 Division Director of Land, Chemicals, and Environmental Stewardship Branch announcing R8's New P2 Regional Award Program. The direct link to the application can be found in the attached flyer and on this link:

[2021 EPA Region 8 Pollution Prevention \(P2\) Award Program | US EPA \[epa.gov\]](#)

Please share this with your stakeholders and/or nominate eligible organizations for this opportunity in an effort to highlight P2 successes and potentially be recognized by Region 8 leadership.

On a side note – sharing this video from Assistant Administrator Michal Freedhoff on P2 Week!

[https://publish.twitter.com/?query=https%3A%2F%2Ftwitter.com%2FEPAChemSafety%2Fstatus%2F1440050853289738241&widget=Tweet \[publish.twitter.com\]](https://publish.twitter.com/?query=https%3A%2F%2Ftwitter.com%2FEPAChemSafety%2Fstatus%2F1440050853289738241&widget=Tweet [publish.twitter.com])

It is my pleasure to announce EPA Region 8's new Pollution Prevention (P2) Award Program for business, industry, non-profits and other eligible entities. Detailed information about the award program can be found in the flyer (attached and below). Please share this opportunity with your local Chambers of Commerce and other business contacts, so we can highlight and recognize outstanding contributions to preventing pollution at the source. We look forward to seeing applications and nominations.

If you have questions related to the R8 P2 Award Program, please contact Melissa Payan at (303) 312-6511 or via email at payan.melissa@epa.gov.

Mark A. Smith, Director of Land, Chemicals and Redevelopment Division: U.S. EPA Region 8:

EPA REGION 8 POLLUTION PREVENTION (P2) ANNUAL AWARD 2021



U.S. Environmental Protection Agency (EPA) **Region 8** is announcing a **NEW P2 Award Program!** EPA seeks to recognize excellence and innovation in P2 efforts in the Rocky Mountain Region (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and R8 Tribal Lands).

WHAT IS P2?

Any practice that reduces, eliminates or prevents pollution at its source prior to recycling, treatment or disposal. EPA's P2 Program is a non-regulatory approach to conserve energy and water, reduce the use of toxic materials, reduce harmful air emissions at the source, and save money.

WHO SHOULD APPLY?

Businesses and organizations may submit recent projects (last three years) for consideration. Applicants must be in compliance with all applicable environmental regulations. Government agencies, EPA grantees, contractors and cooperative agreement recipients are not eligible, however they can nominate a business to be considered for an award.

WHAT KIND OF PROJECTS ARE ELIGIBLE?

P2 projects must meet the goals of the P2 Program. Projects may:

- Reduce greenhouse gas and waste generation.
- Conserve natural resources and materials.
- Prevent spills and accidental releases.
- Reduce hazardous materials use.
- Promote the purchasing and use of less hazardous materials.
- Implement green chemistry practices.
- Increase a business's efficiency while increasing sustainable practices.

To see examples of P2 projects, please visit EPA's [P2 website](#).

Projects that are not eligible include recycling of discarded materials, waste cleanup or disposal activities, managing or processing of non-hazardous solid waste (e.g., paper, aluminum, plastics, etc.), or activities that do not reduce the use or release of hazardous substances, pollutants, contaminants, greenhouse gas or water.

INTERESTED IN APPLYING?

Visit <https://www.epa.gov/co/forms/2021-epa-region-8-pollution-prevention-p2-award-program> to learn more and apply. Deadline for submission is **October 19, 2021**.



Questions? Contact Melissa Payan | payan.melissa@epa.gov | (303) 312-6511

Rhonda Wright, US EPA: 10/7/2021

Yesterday, 10/6/21, EPA signed an action providing public notice and soliciting comment on the alternative means of emission limitation (AMEL) request for Leak Detection and Repair provisions in the Standards of Performance and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and the Petroleum Refining Industry (40 CFR Section 60 Subparts VV, VVa, GGG, GGGa, and Section 63 Subparts H and CC.) This AMEL would apply to two process units (Mid-crude and Meta-Xylene) located at the West Refinery in Corpus Christi, Texas that is owned and operated by Flint Hills Resources LLC. Based upon review of the

AMEL request, EPA believes that, by complying with the proposed AMEL, these process units will achieve emission reductions at least equivalent to the emissions reduction required by the applicable leak detection and repair standards. Continuous monitoring has the potential to catch leaks, especially large ones, much faster than the current practice of monitoring periodically. This potential reduction in large leaks alone would likely lead to cleaner air for communities that live and work near these sites.

EPA is seeking the public's input on the request from Flint Hills Resources that EPA approve these alternative technologies and methods and will accept comment for 45 days after publication in the *Federal Register*. The pre-publication notice and fact sheet are available here: <https://www.epa.gov/stationary-sources-air-pollution/flint-hills-resources-alternative-means-emission-limitation>

Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/4/2021

I'm not sure what level of notifications that various SBEAPs get or need, but here might be a tool to get some of them and perhaps it can guide SBEAPs in identifying common issues or groups so as to provide more direct outreach to them and reduce enforcement.

Good Afternoon ECOS Compliance Committee Members,

I'm reaching out to forward an update on the release of ECHO Notify. Please see below and feel free to reach out if you have any questions.

Best,

Connor

Greetings State Association Contacts,

EPA's ECHO Team is excited to announce the release of a new tool for ECHO Gov users called [ECHO Notify](#). ECHO Notify is a personalized notification service that allows ECHO Gov users to sign up to receive a weekly notification of newly identified notices for various environmental programs. ECHO Notify is customizable to what alerts you would like to receive when ECHO is refreshed. For example, new CWA violations in your state. Users that turn on alerts would not need to continually search ECHO to seek out information about important changes.

How to access and sign up for ECHO Notify:

[ECHO Notify](#) is available under ECHO's Search Options in the Cross Program section. You must be logged in to ECHO Gov to access it, this tool is not available to the public yet. If you do not have an ECHO Gov account already, state, local and tribal government employees can [register for an ECHO Gov account](#).

EPA United States Environmental Protection Agency

Environmental Topics Laws & Regulations About EPA Search EPA.gov

ECHO Enforcement and Compliance History Online

Login to your ECHO Gov account Welcome mlapatra Log Out

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Quick Search

Search Options

Analyze Trends

Find EPA Cases

Data Services

Search Options

ECHO provides a variety of ways to identify facilities of interest. Search for facilities by media program using the links below or use media-specific tools to conduct additional analyses.

Cross Program

- [All Data Facility Search](#)
- [Map Any Facilities with Enforcement and Compliance Data](#)
- [Corporate Compliance Screener](#)
- [Enforcement and Compliance Document Repository Search](#)
- **ECHO Notify**

Air

- [Air Facility Search](#)
- [Map Air Facilities](#)
- [Clean Air Tracking Tool \(ECATT\)](#)

Hazardous Waste

- [Hazardous Waste Facility Search](#)
- [Map Hazardous Waste Facilities](#)
- [RCRA Integrated Targeting Assistant \(RITA\)](#)

Water

To sign up:

1. Select your location(s) or facilities of interest. You will need to select at least one field in this section.
2. Select your subscription option(s).
3. Click Submit.

ECHO Enforcement and Compliance History Online

You are here: Home > Tools > ECHO Notify

ECHO Notify

View current Edit latest Revisions

ECHO Notify is an easy way to track recent changes to environmental data of interest to you. It allows you to be alerted by email if something has changed in the ECHO system, for example, whether there was a new violation found.

Welcome mlapatra

If you have current subscriptions, they are pre-selected below. Enter or update locations and subscriptions below and click Submit.

1) Select Locations

State: ZIP Code: Facility IDs:

2) Select Subscription Options

CAA: ☐ All ☐ HPI ☐ FRV ☐ FEA ☐ IEA ☐ Insp ☐ SMDU

CWA: ☐ All ☐ SMC ☐ Vol ☐ FEA ☐ IEA ☐ Insp ☐ SEV ☐ PSV ☐ CSV

RCRA: ☐ All ☐ SMC ☐ Vol ☐ FEA ☐ IEA ☐ Insp ☐ FWS

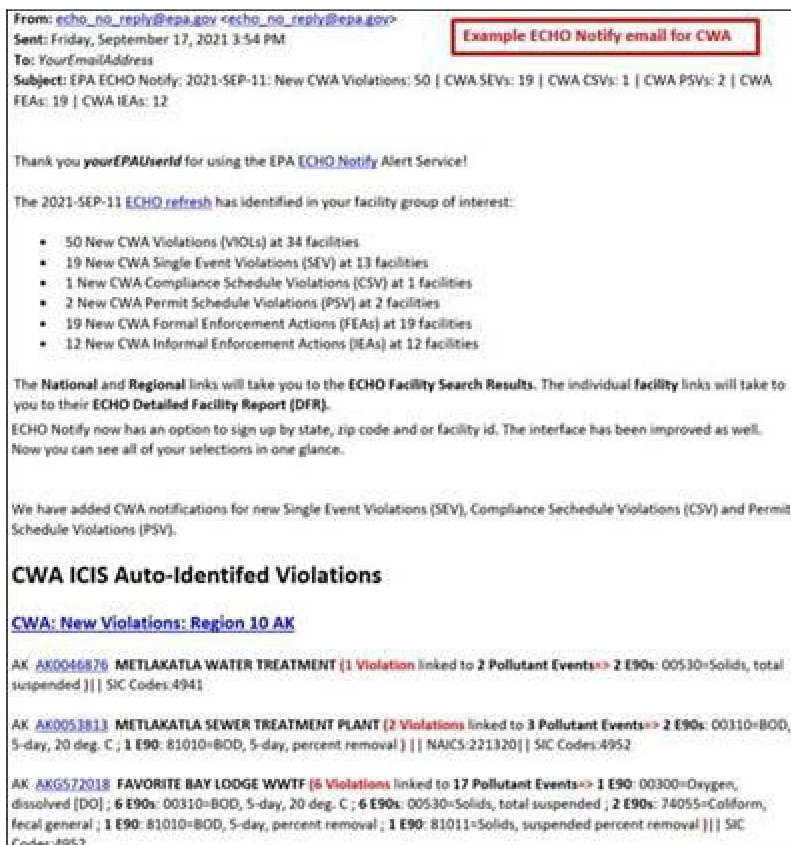
SDWA: ☐ All ☐ HPI ☐ Vol ☐ FEA ☐ IEA ☐ Insp ☐ EWR ☐ NEP ☐ NPEP

FEAC: ☐ All

3) Submit

Users will receive automatically generated email notifications whenever new activity has occurred during the previous week-long period.

Emails normally arrive Monday morning. If you are signed up for multiple media, you will receive one email for each media. SDWA emails will be sent quarterly.



To unsubscribe, select 'Clear All' then Submit.

Which Subscription Options Are Available?

Everything below is available now, except those in the orange boxes which are coming soon.

CAA:						
<input type="checkbox"/> All	<input type="checkbox"/> HPV	<input type="checkbox"/> FRV	<input type="checkbox"/> FEA	<input type="checkbox"/> IEA	<input type="checkbox"/> Insp	
<input type="checkbox"/> SMDU						
CWA:						
<input type="checkbox"/> All	<input type="checkbox"/> SNC	<input type="checkbox"/> Viol	<input type="checkbox"/> FEA	<input type="checkbox"/> IEA	<input type="checkbox"/> Insp	
<input type="checkbox"/> SEV	<input type="checkbox"/> PSV	<input type="checkbox"/> CSV				
RCRA:						
<input type="checkbox"/> All	<input type="checkbox"/> SNC	<input type="checkbox"/> Viol	<input type="checkbox"/> FEA	<input type="checkbox"/> IEA	<input type="checkbox"/> Insp	
<input type="checkbox"/> FWG	Coming Mid October 2021					
SDWA:						
<input type="checkbox"/> All	<input type="checkbox"/> HBV	<input type="checkbox"/> Viol	<input type="checkbox"/> FEA	<input type="checkbox"/> IEA	<input type="checkbox"/> Insp	
<input type="checkbox"/> EWN	<input type="checkbox"/> NEP	<input type="checkbox"/> NPEP				
FE&C:						
<input type="checkbox"/> All	Coming Mid October 2021					

Inspections for all media - coming in 2022

You may sign up for these options now, and you will receive them as soon as they are ready.

Please share this email with anyone in your organization that would benefit from learning more about ECHO Notify. Please be aware that EPA is working on a modified version of this feature for the public in 2022. Before launching the public version, EPA will take state comments on the existing functionality. The point of contact for the project is Tamulonis.charles@epa.gov, and we ask that any comments be submitted by 11/30/21.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 10/4/2021

As Sara had brought the subject up earlier this year, I thought I would share this information with the group. This was passed on by our Office of Energy Programs in TN about an announcement from EPA on regulations and handling of end-of-life solar panels: On September 9th, 2021, EPA published three new webpages on the management of solar panels at end of life. These webpages cover [regulation and management of solar panel waste](#), [solar panel recycling](#), and [frequent questions on solar panel waste](#). These pages provide information on how solar panels are regulated and managed at end of life when recycled or disposed of. This includes an overview of hazardous waste regulations, state-specific policies, and an explanation of how solar panels can be reused and recycled. These webpages were created in response to growing stakeholder interest in this waste stream as more solar panels reach end-of-life. To view the solar panel regulations and management page, visit <https://www.epa.gov/hw/end-life-solar-panels-regulations-and-management>. To view the solar panel recycling webpage, visit <https://www.epa.gov/hw/solar-panel-recycling>. To view the solar panel frequent questions, visit <https://www.epa.gov/hw/solar-panel-frequent-questions>.

Rhonda Wright, US EPA: 9/30/2021

In a memorandum signed by the Assistant Administrator today, EPA announced the return to its 2015 policy explaining that State Implementation Plan (SIP) provisions that provide exemptions from air emissions limits during periods of startup, shutdown and malfunction (SSM) or that provide affirmative defense provisions are not consistent with the Clean Air Act and would not generally be approvable. This policy had been superseded by a 2020 memorandum that EPA is withdrawing. The reinstated 2015 Policy will ensure that all modes of source operation, including periods of SSM, have emissions limitations in place that can be appropriately enforced in all communities and populations across the affected states, including minority, low-income and indigenous populations overburdened by pollution. In addition, EPA plans to revisit the three related state-specific SIP actions that were finalized in 2020 that withdrew the SIP calls previously issued to Texas, North Carolina, and Iowa. Through notice-and-comment rulemaking actions EPA plans to reconsider whether any of the findings underlying those actions should be retained in light of the Agency's change in policy. The memorandum has been distributed to the Regional Administrators. The new policy is on our website: <https://www.epa.gov/air-quality-implementation-plans/emissions-during-periods-startup-shutdown-malfunction-ssm>. The withdrawn policy from 2020 is still posted as a reference. Please share this information with your interested stakeholders.

Donovan Grimwood, TN Small Business Environmental Assistance Program: 9/23/2021

A general notice from ECOS on a tool for Significant NonCompliance in water effluent violations. Wanted to pass this on as it may be of interest to your state level water division.

ECOS Compliance Committee Members,

I'm passing along some information from the Association of Clean Water Administrators (ACWA) and EPA on a new SNC NCI product on ECHO Gov. Please see below and feel free to reach out with any questions.

Best,
Connor

----- Forwarded message -----

ACWA is partnering with EPA to help promote and distribute a new SNC NCI product, EPA and state enforcement/compliance “Select Practices” for reducing significant noncompliance. You will find the first three of these Select Practice summaries posted on EPA’s SNC NCI page at [ECHO Gov](#) (login required). I have also attached them so you get a feel for the types of content that will be captured and shared. These three Practices are titled:

1. Identifying and Resolving Significant Noncompliance (SNC) Before it is Official
2. Notifications for Significant Noncompliance (SNC)-Level Effluent Violations
3. Using a Combination of Technical Assistance and Escalating Enforcement

“Select Practices” are practices or programs being implemented by states or EPA to reduce NPDES noncompliance. The SNC (NCI) Workgroup is leading an effort to identify, compile, and distribute Practices to state and EPA programs. Each Practice follows a similar format: a brief description, purpose, results, tips for implementation, and contact information for the Select Practice owner. Each Select Practice summary has attached examples of actual products developed by the state or EPA as part of implementing the Select Practice - that other states and EPA can use as models if they want to replicate the Practice in their state or Region. If you have a state process/initiative you would like to see highlighted as a Select Practice, please contact Rachel McAnallen at mcanallen.rachel@epa.gov.

Coming this fall, EPA will be facilitating discussions on these Select Practices featuring the regulators implementing the Select Practice. The purpose of these discussions is, first and foremost, to acknowledge the work of EPA Regions and states in reducing their SNC rate, as well as to share implementation tips with other Regions and states for their consideration and replication. These discussions will provide state and EPA NPDES programs an opportunity ask questions about the Select Practice to gain insights and learn more about how it worked to reduce NPDES significant noncompliance.

A schedule of upcoming Select Practice discussions will be posted on the SNC NCI page at [ECHO.gov](#). If you have an interest in learning more about the SNC NCI initiatives please check out EPA’s webpage at: <https://www.epa.gov/enforcement/national-compliance-initiative-reducing-significant-non-compliance-national-pollutant>

It would be greatly appreciated if you could circulate this email among your inspection, enforcement, and compliance managers as well. If you have questions or wish to learn more about the Select Practices and Select Practice discussions, please contact David Piantanida at Piantanida.david@epa.gov.

Nancy Larson, KS Small Business Environmental Assistance Program: 9/20/2021

**EPA Tools & Resources Training Webinar
Chemical Transformation Simulator: To Predict PFAS Metabolites and Environmental Transformation Products
October 7, 2021 3-4 PM ET**

The Chemical Transformation Simulator (CTS) is a publicly available web-based application that predicts how organic chemicals will transform in environmental and biological systems. Traditional exposure and

risk assessments for human-made organic chemicals have only focused on chemicals in their manufactured form, but it is well known that many organic chemicals can be transformed in the environment. Organic chemicals can also be metabolized into new molecules when they are ingested by humans or ecological species. CTS Reaction Libraries predict the products that form from various environmental transformation processes. This training webinar will provide an overview of CTS, including a demonstration of the CTS workflows for predicting transformation pathways and physicochemical properties of organic chemicals. [For more information visit EPA's CTS website.](#)

[Register for the Chemical Transformation Simulator training webinar!](#)

EPA Tools & Resources Webinar
Freshwater Explorer: Interactive Map of Water Quality
October 20, 2021 3-4 PM ET

EPA's Freshwater Explorer is an interactive mapping tool for visualizing water quality. States, tribes and other groups contribute water quality information to a database through the Water Quality Exchange (WQX). To make it easier to visualize these data, EPA scientists developed this interactive web-based mapping tool. Freshwater Explorer provides information about background and observed conductivity, a measure of salt content, for freshwater streams, lakes and wells in all 50 US states, Puerto Rico and the US Virgin Islands. Salts can harm aquatic life and can be indicative of the presence of other pollutants. Data for nutrients will be added in 2022. Attend the EPA Tools & Resources Webinar to learn more about the [EPA Freshwater Explorer!](#)

[Register for the Freshwater Explorer webinar!](#)

[Nancy Larson, KS Small Business Environmental Assistance Program: 9/17/2021](#)

This \$10,000 award target community sustainability virtual resources. Read more if you are interested.

Register Now: Sustainable Communities Web Challenge

The U.S. Environmental Protection Agency (EPA), Code for America, and the Georgia Center of Innovation for Energy Technology have launched the Sustainable Communities Web Challenge, which will award a total of up to \$10,000 across all winning participants. The purpose of this challenge is to customize our interactive community starter pages for a



community of interest. These pages integrate tools that show the relationships between industries and the environment and local economy with an eye toward informing community decisions around sustainability. Sustainable communities promote health and well-being, such as through materials reuse and recycling, and prevention of environmental releases, while also being economically robust.

The challenge is open to anyone who is interested in creating these community pages, including students from high school through graduate school, community representatives, coders and others. An adult is required to register and oversee participation of any minors.

To start, the challenge asks participants to choose a location of interest – ranging from a local community to multiple states. They can then join a community team or create a new team for their community and use our starter pages to start their community page. To create a competitive challenge entry they may further develop, customize, and improve our existing web tools that integrate EPA models and data, or integrate data, tools or imagery from other sources of their choosing relevant to issues in their community. Participants will compete for \$10,000 in awards. The challenge will culminate in a full-day showcase event and award presentation on October 2, 2021.

[Register to participate.](#)

[Learn more about the Challenge.](#)

[Virtual workshops and Slack channel Information.](#)

[Learn more about USEEIO.](#)

Nancy Larson, KS Small Business Environmental Assistance Program: 9/17/2021

Note this EJ funding opportunity and the related webinar Oct. 5th.

New Funding Opportunity: Cumulative Health Impacts at the Intersection of Climate Change, Environmental Justice, and Vulnerable Populations/Lifestages: Community-Based Research for Solutions Request for Applications (RFA) and Informational Webinar

COVID-19 Update: EPA is providing flexibilities to applicants experiencing challenges related to COVID-19. Please see the **Flexibilities Available to Organizations Impacted by COVID-19** clause in Section IV of [EPA's Solicitation Clauses](#).

URL: [Cumulative Health Impacts at the Intersection of Climate Change, Environmental Justice, and Vulnerable Populations/Lifestages: Community-Based Research for Solutions Request for Applications \(RFA\)](#)

Open/Close Dates: September 16, 2021 - November 16, 2021

Register for the Informational

Webinar: https://cumulative_health_impacts_climate_change.eventbrite.com

Background: The U.S. Environmental Protection Agency (EPA), as part of its Science to Achieve Results (STAR) program, is seeking applications proposing transdisciplinary research to analyze environmental problems at the intersection of climate change, environmental justice (EJ), and vulnerable populations and lifestages.

Environmental justice (EJ) is an integral part of EPA's mission to protect human health and the environment. EJ is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Low-income, minority, tribal and indigenous communities are often disproportionately vulnerable to environmental health challenges because they are

faced with greater exposure to many sources of pollutants or contaminants. They are also more likely to be overburdened due to systemic environmental policies resulting in wealth and health inequities or disparities and underserved in adaptive capacity to respond to and cope with emerging environmental stressors caused by climate change. Climate change can create various levels of environmental and health impacts in different regions, communities, and population groups across the nation. Additionally, children, older adults, and people with disabilities or pre-existing health conditions may be most susceptible and vulnerable to climate changes and associated environmental stressors. Proposed research projects should address all of the following research questions:

- What may be the most influential community-, population- or lifestage-specific vulnerabilities caused by ongoing climate change that would elevate exposure to pollutants or contaminants and further exacerbate the health effects from exposure to pollutants or contaminants in overburdened communities?
- What are the cumulative health impacts of climate change related stressors on vulnerable groups or susceptible lifestages in overburdened communities?
- How can community-based scientific research results be translated and/or applied to provide effective solutions to reduce climate change impacts on human health in overburdened communities?

For information on eligibility, project specifications, or how to apply, visit: [**Cumulative Health Impacts at the Intersection of Climate Change, Environmental Justice, and Vulnerable Populations/Lifestages: Community-Based Research for Solutions Request for Applications \(RFA\)**](#)

Learn more about [EPA Research Grants](#).

Informational Webinar https://cumulative_health_impacts_climate_change.eventbrite.com

Date: Tuesday, October 5, 2021

Time: 1:00 p.m. - 2:00 p.m.

Join us for an informational webinar on this funding opportunity. The webinar will cover application information and provide an overview of what has already been provided in the RFA.

Webinar Objectives:

- Share general information and information on research areas for the RFA (EPA Project Officer)
- Learn about the submission, eligibility, relevancy review and peer review processes (EPA Eligibility, Submission, and Peer Review Officers)
- Question & answer session

A copy of the webinar presentation will be available on the [RFA webpage](#) for those unable to participate in the scheduled webinar.

Rhonda Wright, US EPA: 9/10/2021

The Administrator signed proposed amendments to the National Volatile Organic Compound (VOC) Emission Standards for Aerosol Coatings – a national reactivity-based regulation for aerosol spray paints.

These proposed amendments are in response to petitions submitted by the American Coatings Association requesting that the rule be updated to resolve inconsistencies and reduce burdens and costs on the aerosol coatings industry. In this proposed action, EPA is adding new compounds and reactivity factors, revising the default reactivity factor, updating the coating category emission limits, revising the threshold for VOCs covered by the rule, adding electronic reporting provisions consistent with recent rulemakings, and making other minor clarifying edits.

EPA will accept comment on the proposed amendments for 60 days after publication in the *Federal Register*. A prepublication version of the proposal and a summary fact sheet are posted on the web at: [Aerosol Coatings: National Volatile Organic Compound Emission Standards | US EPA](#)

Donovan Grimwood, TN Small Business Environmental Assistance Program: 8/5/2021

Based on the results of the survey, the SBEAP National Steering Committee is forming a new workgroup focused on Environmental Justice issues. The initial purpose of the EJ workgroup will to look at ideas, big or small, that could potentially be implemented or used by the SBEAPs to support EJ initiatives, either within their program or any initiatives being developed at their state or even the Federal level. These could include how better to use the tools that are already available and growing in scale, precision, and scope of information contained, to ideas on how to make the information we as SBEAPs provide more accessible.

Many of us have been part of various EJ webinars or sessions at conferences. Some of us have even been the one up there talking about EJ issues. This is hopefully an opportunity to start sharing those ideas across the network of SBEAPs in a more accessible manner. To that end, if you are interested in being part of this workgroup, please email me. If you are interested in leading the workgroup, also let me know. We currently have one person that has already stepped up and offered, but if we get another, we may setup co-chairs such as we have in the Technical Subcommittee. As Melissa Collier in MS has noted, with our connection to the small businesses that make up the majority of businesses in any community, the renewed focus on EJ issues may be a place that the SBEAPs can do a lot of good in helping out those small businesses in EJ communities so that the communities as a whole have a cleaner environment while having a growing business sector.

Daniel Sowry, OH Small Business Environmental Assistance Program: 9/3/2021

We're very proud and pleased to let you know that we've opened registration for Ohio EPA's 2021 Sustainability Conference. We would greatly appreciate you helping us spread the word about this free and virtual conference to be held on September 21st through the 23rd. Here is a link to our [eBinder](#) where attendees can register for sessions of interest.

Rhonda Wright, US EPA: 9/2/2021

Today, the EPA issued an advanced notice of proposed rulemaking (ANPRM) to assist in the potential development of regulations for pyrolysis and gasification units. These units are used to convert solid or semi-solid feedstocks, including solid waste (e.g., municipal solid waste, commercial and industrial waste, hospital/medical/infectious waste, sewage sludge, other solid waste), biomass, plastics, tires, and organic contaminants in soils and oily sludges to useful products such as energy, fuels and chemical commodities. Pyrolysis and gasification are often described as heat-induced thermal decomposition processes.

Through recent interactions with stakeholders, EPA has learned that pyrolysis and gasification processes are more widely being used to convert waste into useful products or energy. An ANPRM will provide an

opportunity for a large and diverse group of stakeholders, including potentially impacted facilities, small businesses, and state, local, and tribal governments, to participate in the data and information gathering process and provide information on the details of pyrolysis and gasification units and processes. Based on data and information received through this ANPRM, the agency will evaluate how best to regulate the pyrolysis and gasification units.

A pre-publication version of the ANPRM and a fact sheet are available on the web at: <https://www.epa.gov/stationary-sources-air-pollution/advance-notice-proposed-rulemaking-pyrolysis-and-gasification>

Christopher Lynch, NE Business Environmental Program: 9/2/2021

We are excited to make plans for the 2022 National SBEAP Annual Training in Nevada in the spring of 2022! The planning committee had our first meeting in early August and will meet again on September 8th at 3:30pm ET.

If you are a regional alternate representative to the National Steering Committee, don't forget that you are automatically a member of the conference planning committee. We look forward to your participation.

If you need to participate on the planning committee in order to obtain travel approval to attend the conference in 2022 please reach out directly to me right away so we can get you on the planning committee. Anyone else who is interested in participating on the planning committee should also get in touch with me directly as soon as possible.

As we continue to plan for the March/April 2022 conference in Nevada, let's all keep Stateline, NV and South Lake Tahoe, CA in our positive thoughts as the Caldor Fire continues to threaten Lake Tahoe and those communities in particular (which also happens to be where the conference hotels are). It has been a difficult summer for wildfires and hazardous smoke in our area.

Tony Pendola NC Small Business Environmental Assistance Program 8/19/2021

I asked the Association of Air Pollution Control Agencies (AAPCA) to share our annual report and they included it in their latest Weekly Update. Here is the snippet from the last page:

Other Environmental Reports / Articles of Interest

- The National Small Business Environmental Assistance Program has published its [annual report](#).
- Politico, "[An inconvenient truth \(about weed\)](#)," August 10, 2021
- ProPublica, "[We Reported on Pollution From Sugar Cane Burning. Now Federal Lawmakers Want the EPA to Take Action.](#)" August 13, 2021

Rhonda Wright US EPA 8/19/2021

On August 18, 2021, EPA posted draft emission models for poultry (egg-layer and broiler) operations developed using data gathered during the National Air Emissions Monitoring Study (NAEMS). The draft models estimate daily air emissions of ammonia, hydrogen sulfide, and particle pollution from houses and manure sheds on egg-laying farms and houses on broiler farms. The Agency continues to develop air emission models for dairy animal feeding operations and volatile organic compounds from all animal operations. After the draft emission models for all animal sectors are complete, EPA will release the entire set of models for stakeholder review. Once finalized, the emission models will be used by animal feeding operations participating in a voluntary consent agreement known as the Air Compliance Agreement to determine applicability of certain Clean Air Act permitting requirements. For more information, please visit this [site](#).

Background:

In the early 2000s, EPA determined it did not have sufficient scientific information to evaluate air emissions from AFOs. As a first step towards improving emissions estimates for the AFO sector and addressing public concerns about air pollution from AFOs, EPA and AFO industry participants entered into a voluntary consent agreement. The Air Compliance Agreement established NAEMS, which included collection of particulate matter, hydrogen sulfide, volatile organic compounds, and ammonia emissions data across the swine, dairy, broiler chicken, and egg-laying sectors from 2007 through 2010. EPA was tasked with developing emission estimation methodologies based on NAEMS data. Initial efforts for some of the emission sources were released in 2012 and reviewed by EPA's Science Advisory Board (SAB). After a pause in development, draft swine models were released in August 2020.

Donovan Grimwood TN Small Business Environmental Assistance Program 8/5/2021

After discussing with Jennifer, we wanted to share with you the notes from the ECOS call yesterday that was a listening session from the EPA to hear about state concerns and also to start reconnecting with ECOS after several years of low activity.

The purpose of the listening session was to try and get reconnected with ECOS as there hadn't been much activity lately. EPA has been active in more enforcement cases with 3600 compliance monitoring activities since the new administration took office. This included 2 emergency order. One was for a refinery in the Virgin Islands and the other was for a containerboard facility in SC. It should be noted that only 11 emergency orders had been issued prior over the life of the EPA.

EPA has set EJ issues as a priority and feels it is its biggest issue. Their focus on EJ will be to strengthen enforcement and civil inspection and criminal investigation, with a specific increase in EJ communities.

Climate change is the next priority with a focus on how to manage GHG via mitigation and consent decrees. Next priority is PFAS and EPA is looking at using the Safe Drinking Water Act to protect communities. Examples of this include a 1431 order to a location in Jackson, MS. Following the initial action, the 1431 order changed to a 1414 order [I am not sure exactly what that refers to]. Similarly, there was a 1431 order in IL at a community.

OK and other states noted that there appeared to be a rise in either large companies managing small local POTWs and trying to use the small community as a shield with such actions as unlicensed operators and other activities that might get into criminal intent. Some states noted that rather than large companies, it was the small, local POTWs that were creating issues and cutting a lot of corners. EPA criminal investigation lead was on the call and may follow up with some states for more information.

What is the metric/measure of strong enforcement? EPA is not totally sure right now. They do not want to set targets and would really prefer everyone to comply and the EPA could all go home and do something else. Since that isn't likely to happen, the EPA reacts to issues of non-compliance. They may react more quickly or in a more stringent fashion, but as now, it would seem each case is handled as it comes up.

Will there be more resources to states? Or will there be a change in activities? This stems from the idea that if there is a new initiative, what has to be given up. Both states and the Federal level are well used to that. EPA is requesting more resources so as to be able to enable new initiatives and activities while not losing current activities. Over the last decade, EPA has lost about 1000 FTE. There are currently about 24,000 FTE in EPA.

Where do the current National Compliance/Enforcement Initiatives fit in? It is a process to change the NCI or NEI, including public notice and going through OMB. EPA had been considering waiting until an AA was named (Acting Administrator?) but decided to move ahead on PFAS and EJ without waiting on a political appointment. As such, they were already moving on PFAS and EJ prior to Administrator Regan was confirmed. They are not changing current initiatives, but instead determining how to focus on the initiatives that are already there.

One of the main takeaways I got from this is EPA's commitment to EJ initiatives. With the formation of the NEJAC and WHEJAC, I believe there is a strong movement towards changes that will hopefully be lasting and beneficial to all, but most especially the EJ communities.

Sara Johnson NH Small Business Environmental Assistance Program 8/5/2021

Thank you, Dan Fagnant, Christine Grossman, and Jennifer Theodore, for sending me publications on hazardous waste “empty” determinations. This is the finished products from NH.
Auto Body/Collision Repair [Hazardous Waste Determination: Mixing Cups](#)

Rhonda Wright US EPA 7/27/2021

On July 20, 2021, the EPA Administrator signed the Final BP Amoco Title V Petition Order.

By partially granting a petition requesting that the Agency object to the renewal of an operating permit issued to the BP Amoco Chemical Company’s Texas City Chemical Plant in Galveston County, Texas, EPA will assure improved emissions monitoring at this facility. The Environmental Integrity Project (EIP) and Sierra Club petitioned EPA in April of 2017, challenging issues related to emissions monitoring, incorporation by reference, and the use of flexible permits. Among other issues, EPA’s order addresses the need for additional monitoring to assure that the facility’s steam-assisted flares operate as required – destroying 98 percent or more of the volatile organic compounds and organic hazardous air pollutants in the emissions stream. EPA has issued enforcement alerts about flare combustion efficiency issues as far back as 2012 for chemical plants and has more recently required such monitoring in Clean Air Act emissions standards for flares at petroleum refineries and ethylene production plants. This order provides information about the technical problems that reduce combustion efficiency and suggests solutions to those problems which EPA has established in the petroleum refining and other chemical sector rules. EPA’s order ultimately allows Texas to determine the specific approach that needs to be taken to resolve these issues at BP Amoco’s chemical plant. EPA’s order also grants other petition claims related to insufficient emissions monitoring and the use of incorporation by reference. Though EPA acknowledges problems with the state-issued flexible permit for this facility, the Agency denied petitioner’s claim that a compliance schedule was required. The order (attached) will be available [here](#).

Rhonda Wright US EPA 7/9/2021

On July 8, 2021, EPA signed a memorandum titled “Clarifications Regarding Regional Haze State Implementation Plans for the Second Implementation Period” to assist states as they develop plans to address visibility impairment under the Regional Haze Rule. The document provides information regarding the development of State Implementation Plans (SIPs) for the Regional Haze second planning period in light of questions and information EPA is receiving regarding SIP development. The document is available on EPA’s [website](#). EPA will also be holding a webinar open to Regional office contacts, State, Local, Tribal, and Federal Land Manager representatives. The webinar is currently scheduled for July 13, 2021, from 3-4pm Eastern time. Attendees can register in advance [here](#).

Rhonda Wright US EPA 6/24/2021

Yesterday, the U.S. Environmental Protection Agency (EPA) announced a move to provide more frequent updates to national air toxics data and risk estimates as part of the agency’s commitment to making high-quality information available on a timely basis to the public. The agency’s new approach will provide an annual, more systematic update for all air toxics information, including emissions, ambient concentrations, national screening risk estimates and monitoring data. Later this year, EPA will update a popular and accessible tool, EJSCREEN, with risk estimates using 2017 data about air toxics emissions. EPA will update EJSCREEN again next year using 2018 emissions. The agency will keep updating EJSCREEN with the latest information as we transition, incorporating the latest risk results into EPA’s Annual Air Trends Report, so the public can receive a more complete picture of current air quality – including air pollution identified as “criteria” pollutants and air toxics. EPA’s goal is to launch the new, robust report in 2023. For more information, visit the [website](#).

Donovan Grimwood TN Small Business Environmental Assistance Program 6/18/2021

In regard to the Oil and gas listening sessions, EPA was posting a new link for each listening session just shortly prior to it being broadcast. As such, I did not receive a direct link to send out. My apologies for that. However, each of the sessions was recorded and is available on YouTube where the sessions were broadcast

live. This page contains the [links](#). Each session appears to be about 9 hours long. I did listen to some of it and the general opinion appeared to be that EPA should move ahead with reducing methane emissions by 65% or more. Some speakers were approaching it from a generalized health issue. Some provided references to studies or control methods that EPA requested be added to the docket for review. The only dissenting comments came from the industry itself with a claim that there are already controls on the larger emitters. Speakers from NM, PA, OK, TX, and SD seemed most prominent, noting that in many areas of those states, almost everyone lives within 0.5 to 1 mile of an oil well (not sure if they are producing wells or not). There were several breaks as sometimes the registered speakers ended early or there was a break in the time slots, so with the recorded sessions it will be easier to skip over the breaks at least.

Rhonda Wright US EPA 6/11/2021

US EPA WEBINAR

Clean Air Act (CAA) List of Air Toxics

Addition of 1-Bromopropane (1-BP)

Registration is Required

On June 23, 2021, the EPA will host two webinars on the 1-BP Advance Notice of Proposed Rulemaking, or ANPRM. These webinars will provide an opportunity for the public to **provide feedback** concerning facilities located within their community that may be subject to the revisions or new emission standards. Each webinar will be similar but targeted to a difference audience (small businesses, Environmental Justice stakeholders and tribes).

On Monday, June 7, 2021, the U.S. Environmental Protection Agency (EPA) Administrator signed an ANPRM related to adding 1-bromopropane (1-BP) to the Clean Act's list of hazardous air pollutants (HAP). EPA intends to add 1-BP to the HAP list by the end of 2021. This will be the first time that EPA has added a pollutant to the HAP list since the list was created by the 1990 Clean Air Act amendments. This chemical is largely used in solvent degreasing; it is also used in adhesives, furniture foam fabrication, and surface coatings applications in industries such as aerospace manufacturing.

Please see the attachment for the full announcement.

HOW TO REGISTER: Click the links below to register for these upcoming webinars. After registering, you will receive a confirmation email containing information on how to join the webinar. **Please register by noon, Wednesday, June 23RD.**

Both webinars will be held on Wednesday, June 23, 2021 (Click link to register)

3:00p.m.-4:00p.m. EDT: [Communities/Environmental Justice Stakeholders/Tribes](#)

4:00p.m.-5:00p.m. EDT: [Small Business Stakeholders](#)

Sara Johnson NH Small Business Environmental Assistance Program 6/11/2021

1) Advanced Notice of Proposed Rulemaking – Addition of 1-Bromopropane to Clean Air Act Section 112 HAP List- Today, EPA issued an Advanced Notice of Proposed Rulemaking as a further step in the process toward implementing the addition of 1-bromopropane (1-BP) to the Clean Act's list of hazardous air pollutants.

EPA intends to add 1-BP to the HAP list by the end of 2021. After 1-BP is added to the list, EPA must promulgate standards to address emissions of 1-BP. The addition of 1-BP to the HAP list could have immediate regulatory compliance impacts to facilities that emit 1-BP. The EPA is soliciting data and information on 1-BP usage, emission controls, and costs to inform the process to address the implementation of the upcoming listing action and to ensure that the regulatory infrastructure is in place to effectively and efficiently control the emissions of 1-BP. The EPA is not soliciting comments on the decision that granted petitions to list 1-BP as a HAP and has not reopened that decision for comments.

Comments are due by July 26, 2021. Please see links to the [Fact Sheet](#) and the [June 11, 2021 Federal Register Notice](#). Additional information is posted [here](#).

2) Other Federal Register Notices – May 28, 2021, Notice of Virtual Public Listening Sessions, Request for Public Comment, Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act, [28828-28829](#) [EPA will host virtual public listening sessions on June 16, 2021 and July 8,

2021. The goals of the sessions are to solicit comments and suggestions from stakeholders pertaining to the review of EPA Risk Management Program (RMP) regulation revisions completed since 2017 and to address new priorities, as directed under Executive Order 13990: Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (E.O. 13990). The Occupational Health and Safety Administration (OSHA) will participate in the listening sessions to foster continued coordination with the EPA and receive comments on the Process Safety Management (PSM) Standard. For more information, go to the SUPPLEMENTARY INFORMATION Section of the Federal Register Notice.]

Rhonda Wright US EPA 6/8/2021

Last night, the Administrator signed an Advance Notice of Proposed Rulemaking (ANPRM) related to adding 1-bromopropane (1-BP) to the Clean Air Act's list of hazardous air pollutants (HAP). The U.S. Environmental Protection Agency (EPA) intends to add 1-BP to the HAP list by the end of 2021. This would be the first time that EPA has added a pollutant to the HAP list since the list was created by the 1990 Clean Air Act amendments. This chemical is largely used in solvent degreasing and also in adhesives, furniture foam fabrication, and surface coatings applications such as in the aerospace manufacturing. At this stage of the process, EPA is soliciting data and information on 1-BP usage, emission controls, and costs to inform the process to address the implementation of the upcoming listing action and to ensure that the regulatory infrastructure is in place to effectively and efficiently control the emissions of 1-BP.

Details of Action:

EPA is publishing an ANPRM to solicit comments and data from the public on topics related to adding 1-BP to the Clean Air Act's HAP list. The Agency also requests information on potential impacts to small businesses, as well as potential impacts on Tribal and environmental justice communities.

In addition, EPA is concerned that the current regulatory infrastructure included in the General Provisions is not sufficient to address the addition of a new HAP effectively and efficiently. This may require EPA to revise the General Provisions. Information gathered in response to the ANPRM also will help EPA assess the sufficiency of the General Provisions.

Background:

- EPA granted two petitions to add 1-BP to the HAP list on June 18, 2020.
- Once added to the HAP list, EPA must regulate 1-BP as a HAP under CAA section 112.
- While EPA has previously removed substances from the HAP list, this will be the first time that a substance will be added.

Other EPA actions associated with 1-BP:

In a separate action, EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) is working on regulations under section 6(a) of the Toxic Substances Control Act (TSCA). That action follows the August 11, 2020, publication of the risk evaluation under section (6) of TSCA. The rule is scheduled to be proposed by August 2021 and finalized by August 2022. A pre-publication version of the ANPRM and a fact sheet are available on the [web](#).

Sara Johnson NH Small Business Environmental Assistance Program 5/28/2021

1) **Non-Hazardous Secondary Materials (NHSM) Guide** - This guide explains how to make a non-waste determination for fuels under the NHSM regulations and is designed to help the generators and combustors of NHSM apply these self-implementing regulations to their processes. The guide goes through each step of the non-waste determination process, including applying the legitimacy criteria and processing requirements. The guide also explains the two petition processes under NHSM, the role of states, and the recordkeeping requirements under the Clean Air Act. The guide can be found on EPA's [NHSM webpage](#), or can be accessed [directly here](#).

2) Federal Register -

May 10, 2021, Notice, Agency Information Collection Activities; Proposals, Submissions, and Approvals: Ethylene Oxide Commercial Sterilization Facilities National Emission Standards for Hazardous Air Pollutants (NESHAP) Technology Review, [24862-24863](#). [EPA has submitted an information collection

request (ICR), Ethylene Oxide Commercial Sterilization Facilities NESHAP Technology Review to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). This is a request for approval of a new collection. Public comments were previously requested via the Federal Register on June 12, 2020, during a 60-day comment period. This notice allows for an additional 30 days for public comments. A complete description of the ICR is provided, including its estimated burden and cost to the public. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. DATES: Additional comments may be submitted on or before June 9, 2021.]

Rhonda Wright US EPA 5/26/2021

Air Trends Report

We have just issued our updated annual report on air quality trends. This year's report, covering trends information through 2020, includes monitored air measurements of criteria air pollutants and toxic air pollutants, emission estimates, and visibility. This data update is available in an interactive Web application that allows the user to dig into the data points comprising the trends. The air quality and emissions data update will be available on EPA's air quality trends [website](#).

Revised Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards

In response to a July 2020, D.C. Circuit Court remand, EPA is taking action on its review of the Agency's original designation for 16 counties for the 2015 National Ambient Air Quality Standards for ozone. EPA is taking final action to revise the boundaries for six nonattainment areas in four states (Illinois, Indiana, Missouri and Wisconsin) and reaffirming the April 30, 2018, designation associated with Ottawa County, Michigan. In the case of the Doña Ana County, NM and Denver Metro/North Front Range, CO nonattainment areas, upon further review, EPA intends to revise its initial designation. Because EPA's intended designations for the associated remanded counties of El Paso, TX and Weld, CO, respectively, disagree with the states' area recommendations, EPA is sending letters to each state opening a 120-day period for the states to provide additional information based on the existing record. The Agency will notify both New Mexico and Texas of this planned addition. EPA is also opening a 30-day period for the public to comment. Additional information: www.epa.gov/ozone-designations.

Rhonda Wright US EPA 5/25/2021

The U.S. Environmental Protection Agency (EPA) invites small businesses, governments, and not-for-profit organizations to serve as Small Entity Representatives (SERs) to a possible Small Business Advocacy Review (SBAR) panel. If a panel is required, it will focus on the agency's development of a rule that proposes to reduce methane and other harmful pollutants from new, modified and reconstructed sources in the oil and natural gas industry. Please see the full press release and information on how to self-nominate, by clicking this [link](#).

Nancy Larson KS Small Business Environmental Assistance Program 5/24/2021

SBA Environmental Roundtable Meeting

FRIDAY, June 4, 2021, 10 a.m. –11:30 a.m.

Via Microsoft Teams Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topic, beginning at 10 a.m. on Friday, June 4, 2021. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 11:30 AM Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the AIM Act

Jeremy Arling, EPA Office of Air and

Radiation

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas

and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable June 4, 2021

Issues for Discussion

Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the AIM Act

On December 27, 2020, the President signed the “Consolidated Appropriations Act, 2021,” which includes the American Innovation and Manufacturing Act of 2020 (AIM Act). The AIM Act directs EPA to establish a regulatory framework for phasing down the production and consumption of hydrofluorocarbons (HFCs) over a fifteen-year period. HFCs are targeted because they are a highly potent greenhouse gas.

On May 19, 2021, EPA published a proposed rule to set the HFC production and consumption baseline levels from which reductions would be made, establish an initial methodology for allocating and trading HFC allowances for 2022 and 2023, and create new compliance and enforcement system. EPA is also requesting comment on how to allocate allowances beyond 2023. At this Roundtable, EPA will present on this proposal and request for comments, including the proposed a set-aside of allowances for small businesses, and discuss how it anticipates the AIM Act and these regulations will affect small businesses.

Rhonda Wright US EPA 5/14/2021

Today, EPA announced the first step in developing a proposed rule to reduce methane and other harmful pollutants from new and existing sources in the oil and natural gas industry, beginning with a broad public outreach effort to gather community and stakeholder input. These activities include holding training sessions on the rulemaking process and how to participate in it, convening listening sessions for stakeholders, and opening a public docket for pre-proposal comments. Here are some links for more information:

- Press release on today's [announcement](#)
- Additional information, a [link](#) to the public docket and information on registering to attend a training webinar or a listening session.

Rhonda Wright US EPA 5/11/2021

On May 10, 2021, the United States Environmental Protection Agency finalized a federal plan to implement the 2016 Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills. The federal plan applies to landfills in states and Indian country where state plans or tribal plans are not in effect. Upon approval of a state plan, the federal plan will no longer apply to MSW landfills in that state.

More information, including a summary fact sheet and a pre-publication version of the notice, is available [here](#).

Jenifer Dixon MI Small Business Environmental Assistance Program 5/10/2021

Gov. Whitmer Signs Proclamation Marking May 2 – 8 as Small Business Week

LANSING, Mich. -- Governor Gretchen Whitmer issued a proclamation marking May 2 – 8 as Small Business Week.

“Michigan is home to thousands of small businesses that are the backbone of our communities,” said **Whitmer**. “Small businesses support the economy, add vibrancy to our communities, and provide hundreds of thousands of jobs across Michigan. They have been so resilient through the pandemic, and I am committed to getting them the support they need as we build our economy back better.”

“Small businesses, and the people with the ideas and tenacity to start them, are the lifeblood of communities here in Michigan,” said **Lt. Governor Gilchrist**. “I’m incredibly thankful and inspired by the contributions of small businesses to Michigan’s culture and economic recovery. During these unprecedented times, as

we continue to protect public health, small business owners and employees continue to show resolve and ingenuity. Governor Whitmer and I are committed to supporting small businesses to help them launch and stay afloat to help rebuild our economy.”

“Michigan small businesses are anything but small when we consider their critical impact on our state economy,” said **Lorri Rishar**, a small business owner and chair of the Small Business Association of Michigan Board of Directors. “Every day, workers and communities across our state appreciate the sweat and tears that go into being a small business owner. Even in the midst of the pandemic, we showed up, worked tirelessly and got the job done.”

According to the most recent data from the U.S. Small Business Administration, small business made up more than 99.6% of Michigan’s businesses employing approximately 1.9 million individuals, or 49 percent of the private workforce. In 2019, 92% of net new jobs in the state were created by businesses with fewer than 20 employees, while businesses with 20-99 employees had the largest share of small business employment in the state. In the past year, more than \$240 million in [direct relief](#) has gone to 25,000 small businesses across all 83 counties in Michigan through the efforts of the Michigan Economic Development Corporation. That relief helped to retain 200,000 jobs for Michiganders while also supporting retooling efforts to produce 2.5 million units of PPE and generate \$27 million in new revenue for small and mid-size manufacturers and non-profits. Support for small businesses continues to be a priority of Governor Whitmer’s [MI COVID Recovery Plan](#) and funding coming to Michigan through the American Rescue Plan. The Administration continues to encourage small businesses in Michigan to access additional federal relief programs, including the [Restaurant Relief Initiative](#). Applications for the relief through the U.S. Small Business Administration opened today. For more information on the Restaurant Revitalization Fund, visit sba.gov/restaurants or in Spanish at sba.gov/restaurantes.

View the full proclamation [here](#).

John Podolinsky MT Small Business Environmental Assistance Program 5/5/2021

Innovative DOE Fuel-Engine Research Reveals Potential to Cut Emissions, Boost Efficiency of Cars and Trucks

The Co-Optima FY20 Year in Review spotlights recent engine and fuel innovations

A [report \[lnks.gd\]](#) released this week highlights the most significant breakthroughs of the last year in the U.S. Department of Energy’s (DOE) Co-Optimization of Fuels & Engines (Co-Optima) initiative, with details on findings that could translate into significant greenhouse gas (GHG) and tailpipe emissions reductions. This collaborative research effort has brought together top scientists, engineers, and analysts from across the nation to examine how simultaneous improvements to fuels and engines can maximize energy efficiency and the use of renewable fuels, while decreasing transportation sector emissions for the entire on-road fleet. [Read more \[lnks.gd\]](#)

Sara Johnson NH Small Business Environmental Assistance Program 4/30/2021

Thank you for your interest in Tuesday’s webinar: **Sustainable Solutions for Craft Beverage Producers Webinar Series - Energy Treasure Hunt for Microbreweries**. If you missed the webinar, want to watch it again, or share it with a friend, the recording is now posted on the [New Hampshire Sustainable Craft Beverage Program webpage](#).

An Energy Treasure Hunt is a collaborative quest where your employees uncover opportunities to save energy. ENERGY STAR offers a wealth of resources to a successful voyage including:

- [Energy Treasure Map for Microbreweries](#): Print out this checklist and take it along during your Treasure Hunt in your brewery.
- [Energy Treasure Hunts during COVID-19](#): This tip sheet draws on insights from companies that have adapted their treasure hunt methods to address safety concerns created by COVID-19 and have successfully conducted treasure hunts. Every energy program will need to assess what is possible given their organization’s new safety requirements.

- [Join the Find the Treasure Campaign](#): The annual ENERGY STAR® Treasure Hunt campaign is a collaborative quest to uncover the untapped potential for energy savings in America's commercial and industrial facilities. In 2019 and 2020, 216 teams found over \$40 million in savings!
- Find more resources at www.energystar.gov/treasurehunt
- For more information about Energy Treasure Hunts or to host/participate in one please email Emily Bolger at Bolger.Emily@epa.gov.

Upcoming Sustainable Solutions for Craft Beverage Producers Webinars

Please join us on May 25, 2021, from 1:00 to 2:00 pm EDT for the next webinar in the series - **Innovative Solutions: CO₂ Capture Technology**. Registration [Link](#).

Our final webinar in this series, **How to Cultivate a Culture of Sustainability at Your Facility**, will be held on June 22, 2021, from 2:00 – 3:00 pm EDT. Registration [Link](#).

Nancy Larson KS Small Business Environmental Assistance Program 4/27/2021

EPA Administrator Regan Establishes New Council on PFAS

WASHINGTON – (April 27, 2021) To help deliver on the U.S. Environmental Protection Agency's (EPA) mission to protect human health and the environment, today Administrator Michael S. Regan issued [a memorandum to EPA's senior leadership](#) calling for the creation of a new "EPA Council on PFAS" that is charged with building on the agency's ongoing work to better understand and ultimately reduce the potential risks caused by these chemicals.

"Coming from North Carolina, I've seen first-hand how devastating these chemicals can be for communities and the need for strong EPA leadership," **said EPA Administrator Michael S. Regan**. "That's why today, I am calling on our senior leadership to form a new Council that will identify pragmatic approaches that deliver critical protections to the American public. As one of my top priorities as Administrator, EPA will prioritize partnerships and collaboration with our federal, state, tribal and local partners, and engage the public about the risk associated with these chemicals.

Administrator Regan has asked Radhika Fox, Principal Deputy Assistant Administrator in the Office of Water, and Deb Szaro, Acting Regional Administrator in Region 1, to convene and lead the EPA Council on PFAS, which will be comprised of senior EPA career officials from across the agency.

"I'm honored to Co-Chair the EPA Council on PFAS and to work collaboratively with colleagues across our national program offices and our regions to forge meaningful and sustained progress on PFAS," **said Principal Deputy Assistant Administrator for EPA's Office of Water Radhika Fox**. "By taking a whole of EPA approach, the Council will accelerate scientific work, regulatory action, and voluntary approaches to address PFAS contamination and better protect the health of all Americans."

"I am very proud to be asked by Administrator Regan to help lead the new EPA Council on PFAS," **said EPA New England Acting Regional Administrator Deb Szaro**. "These chemicals are a significant concern throughout the six New England states, and we understand that state and local officials, as well as ordinary citizens are looking for EPA to provide leadership on how to address PFAS chemicals that are being detected in the environment to ensure we are protecting people's health. Our work will be based on science and will be conducted with transparency."

"This is among the most complex environmental challenges facing states today, and it will take close coordination and partnership across all levels of government to tackle it," **said ECOS President Patrick McDonnell, Secretary of the Pennsylvania Department of Environmental Protection**. "States appreciate the opportunity to engage with EPA to help develop appropriate and workable strategies to address PFAS and to protect public health."

The agency's ongoing work on PFAS is based on the [2019 EPA PFAS Action Plan](#). Developed by EPA career staff, the plan identifies an agenda and actions that have yet to be realized. Over the past few years, science has progressed rapidly, and the agency must move forward with actions that are based on this new science and a better understanding of the complex challenges so many communities are facing. To address these challenges and meet the needs of our partners and communities across the United States, Administrator Regan is directing the EPA Council on PFAS (ECP) to:

- Develop “PFAS 2021-2025 – Safeguarding America’s Waters, Air and Land,” a multi-year strategy to deliver critical public health protections to the American public. To develop the strategy, the ECP will review all ongoing actions, propose any necessary modifications, and identify new strategies and priorities. The ECP shall make initial recommendations within 100 days of its establishment.
- Continue close interagency coordination on regional specific and cross-media issues to assist states, Tribes, and local communities faced with significant and complex PFAS challenges.
- Work with all national program offices and regions to maximize the impact of EPA’s funding and financing programs and leverage federal and state funds to support cleanup of PFAS pollution, particularly in underserved communities.
- Expand engagement opportunities with federal, state, and tribal partners to ensure consistent communications, exchange information, and identify collaborative solutions.

The ECP’s work will build on the important steps the Biden-Harris Administration has already taken to address these chemicals, including pulling down and [updating a PFBS toxicity assessment](#) that had been politically compromised and issued a new assessment backed by career scientists. EPA has also taken action to [begin to develop a national primary drinking water regulation, to collect new data critically needed to improve EPA’s understanding of 29 PFAS](#), and to solicit data on the presence and treatment of PFAS in wastewater discharges. The agency also strongly supports President Biden’s American Jobs Plan, which calls for investing billions of dollars to monitor and treat PFAS in drinking water.

Additional information: www.epa.gov/pfas

Sara Johnson NH Small Business Environmental Assistance Program 4/20/2021

1) Please see the link to a **Summary of EPA’s Air Toxics Strategy** to more effectively identify and address existing, emerging, and future air toxics issues in the U.S. posted [here](#).

2) Federal Register Notices –

April 13, 2021, Proposed Rule, NESHAP: Municipal Solid Waste Landfills Residual Risk and Technology Review; Correction, [19176-19184](#).

[EPA published a final rule in the Federal Register on March 26, 2020, to complete the residual risk and technology review (RTR) for the Municipal Solid Waste (MSW) Landfills source category as regulated under national emission standards for hazardous air pollutants (NESHAP). The final rule also made minor changes to the 2016 MSW Landfills New Source Performance Standards (NSPS) and Emission Guidelines and Compliance Times for MSW Landfills to improve implementation of the sets of rules affecting MSW landfills. In this action, the EPA is proposing technical revisions and clarifications for the NESHAP for MSW Landfills established in the March 26, 2020, final rule. These changes correct inadvertent errors and clarify wellhead monitoring requirements for the purpose of identifying excess air infiltration; delegation of authority to state, local, or tribal agencies for “emission standards”; applicability of the General Provisions to affected MSW landfills; and handling of monitoring data for combustion devices during periods of monitoring system breakdowns, repairs, calibration checks, and adjustments. We are proposing further amendments to the 2016 MSW Landfills NSPS to clarify and align the timing of compliance for certain requirements of the 2016 MSW Landfills NSPS for existing MSW landfills that have modified but previously triggered the requirement to install a gas collection and control system (GCCS) under related MSW landfill rules. DATES: **Comments must be received on or before May 28, 2021.**]

March 11, 2021, Final Rule, Court Vacatur of Exemption from Emission Standards During Periods of Startup, Shutdown, and Malfunction, [13819-13821](#).

[EPA is amending the Code of Federal Regulations (CFR) to reflect a court order regarding the General Provisions for National Emissions Standards for Hazardous Air Pollutants (NESHAP) issued on December 19, 2008, by the United States Court of Appeals for the District of Columbia Circuit (the court). The court vacated two provisions in the General Provisions that exempted sources from hazardous air pollutant (HAP) nonopacity and opacity emission standards during periods of startup, shutdown, and malfunction (SSM). The court held that under the Clean Air Act (CAA), emissions standards or limitations must be continuous in nature and that the SSM exemptions in these two provisions violate this requirement. This ministerial

action revises these two NESHAP General Provisions in the CFR to conform to the court's order. DATES: This final rule is effective on March 11, 2021.]

Rhonda Wright US EPA 4/16/2021

ROUNDTABLE DISCUSSION

THIS WILL BE AN OPEN FORUM!

You are invited to participate in OAQPS' roundtable discussion on the upcoming Dry- Cleaning rulemaking. This will be an **open forum** and an opportunity to discuss and share information on the dry-cleaning industry, its challenges, and other pertinent information for EPA's consideration. This will be an interactive discussion, so please feel free to ask your questions and share your thoughts. **REGISTRATION IS REQUIRED.**

HOW TO PARTICIPATE

Date: Thursday, April 22, 2021

Time: 2:00 PM – 3:00 PM (EDT)

Audience: Small Businesses

How to Participate: **Registration is required for this event.** To register, please provide your full name, organization, phone number (*the one you will use to call into the webinar*), and email address to Rhonda Wright at wright.rhonda@epa.gov. After registering, you will receive a confirmation email containing information on how to join the webinar. We will be using Microsoft Teams for this event. You will have the option of joining by either a computer link or by telephone (not both). **Please register by COB, Wednesday, April 21, 2021.** We look forward to your participation and encourage you to share this invitation with others in your community who may be interested.

ABOUT THE CALL

2:00 PM – 3:00 PM NATIONAL PERCHLOROETHYLENE AIR EMISSION STANDARD FOR DRY CLEANING FACILITIES *Brian Storey, Rule Lead*

The current action is to perform the 8-year technology review required by the CAA. The EPA is under a consent decree which requires a proposed rule by December 1, 2021, and final signature by December 1, 2022. EPA has decided to open the NSPS rule and revise the requirements to ensure they are current and relevant. This includes revising the compliance requirements to match current machine configurations. This part of the current action does not have a court-ordered deadline.

In preparation for this call, we would appreciate your input and feedback on the following questions:

- What are your thoughts on the use of alternative solvents to trichloroethylene in your dry- cleaning operations, and in dry cleaning, in general? What are the prices of trichlorethylene compared to any alternative solvents used, and would you expect this price comparison to change in the future?
- What are your thoughts on how the quality of your dry cleaning would turn out using alternative solvents as compared to using perc? What do you think would be the reaction of customers if their dry cleaning has been done using an alternative to perc? Any reaction?
- Do you expect that perc will be the predominant solvent used in dry cleaning in the future? If so, why? If not, why?
- How, in general, has the dry-cleaning industry changed since the last EPA air pollution rule went into effect in 2006?
- Do you expect that dry-cleaning technology will change in the future? If so, how?
- What is the percent of your operating cost that is a result of the cost from solvent purchase and use, whether it is perc or an alternative solvent?
- In the future, as the US emerges from the pandemic, do you expect demand for your dry-cleaning operations to increase? Stay where it is currently? Or decline? And, for each case, why?
- Do you have much competition for your dry-cleaning business? How has the amount of competition for your business changed over time, and do you expect this will change in the future?
- What are your thoughts on the burden of a federal regulation such as this one as it compares to other EPA regulations you must comply with? State and local regulations?

R Nancy Larson KS Small Business Environmental Assistance Program 4/17/2021

Rhonda – who is the target audience, SBEAPs or SBs?

R Rhonda Wright US EPA 4/20/2021

We considered extending this call out for some weeks; however, this rule is under a court ordered deadline to propose by December 2021. We have to determine if this rule will require a SBAR panel. The purpose for this call is to hear from you. Any information you can share, by answering the questions provided, will help us in deciding if we will need to do a SBAR panel. If a SBAR panel is needed, it will take several months to complete, and it must be completed by proposal. Therefore, we don't have much time to waste. Having a conversation with you sooner, rather than later, will help with the timeline we're facing. The audience for this call are all of our SB partners (i.e., SBEAPs, SBs, trade associations, etc.). We're looking for any input you are able to provide to support the development of this rulemaking. This will not be the only opportunity for feedback/ dialogue but is an opening opportunity to bring in SB stakeholders.

Tony Pendola NC Small Business Environmental Assistance Program 4/14/2021

On April 12, EPA Administrator Regan sent this [memo](#) to all employees.

A portion of it states <emphasis mine>: “General Principles - In all its programs, EPA will provide for the fullest possible public participation in decision making. This requires not only that EPA remain open and accessible to those representing all points of view, but also that EPA offices responsible for decisions take affirmative steps to solicit the views of those who will be affected by these decisions. This includes communities of color; Native Americans; rural communities; low-income communities; **small businesses**; local governments, Tribes, and states; and those who have been historically underrepresented in EPA decision-making.”

Nancy Larson KS Small Business Environmental Assistance Program 4/9/2021

EPA Releases Updated Tool to Help Communities Protect Recreational Waters

WASHINGTON (APRIL 9, 2021) - Today, the U.S. Environmental Protection Agency (EPA) released an improved web-based app to help communities identify potential sources of pollution to recreational waters. This science-based and data-informed tool empowers communities and supports engagement in local decisions in protecting the health of swimmers and recreators from contaminants at lakes, rivers, and beaches while supporting the vitality of water-based economies.

“Everyone has a role in protecting public health and the environment. With EPA’s new app, community members can play a part in ensuring safer recreation and cleaner drinking water sources,” **said Director of EPA’s Office of Science and Technology Deborah Nagle**. “Real-time, high-quality data help improve prioritization of remediation actions and the development of models that would support same-day decisions on swimming advisories.”

EPA’s new *Sanitary Survey App for Marine and Fresh Waters* is designed to help protect swimmers and other recreators while improving management decisions that can help keep recreational waters open for use. EPA recognizes the role of community participation in supporting robust water quality datasets. This tool can help citizen scientists provide data on sources of pollution in a watershed and information on potential harmful algal blooms in surface waters that public health officials need to protect a community. These efforts can also ultimately promote safe public access to urban waterways and lead to aquatic ecosystem restoration.

While previous versions of the app focused on marine waters, this improved version has been expanded to include monitoring for fresh waters. Additionally, it has new functions including photo storage, geolocation data, and links to weather-related websites. The web-based app does not require the use of the Internet or Wi-Fi to use. The agency will be conducting free, live training webinars between late April and late May on how to use the app. The dates and pre-registration instructions for the live training webinars are available

on EPA's Beaches website. Detailed instructions on how to access the app, as well as user manuals and training videos, will also be posted on the website. For more information visit this [EPA page](#).

Rhonda Wright US EPA 4/8/2021

The Administrator signed two OAQPS actions today. Thanks in advance for sharing the information below with your key stakeholders.

1. Proposed technical revisions and clarifications to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste (MSW) Landfills established in the March 26, 2020, final rule. These changes would correct inadvertent errors and clarify:

- Wellhead monitoring requirements for the purpose of identifying excess air infiltration
- Delegation of authority to state, local or tribal agencies for "emission standards"
- Applicability of the General Provisions to affected MSW landfills
- Handling of monitoring data for combustion devices during periods of monitoring system breakdowns, repairs, calibration checks and adjustments.

A prepublication version of this notice and a summary fact sheet are available [here](#).

1. An EPA Supplemental Amendment for the Fourth Round of SO₂ Area Designations changing the December 2020 nonattainment designation for portions of Outagamie County, Wisconsin to attainment/unclassifiable. The portions of Outagamie County affected by this cover Outagamie County except Oneida Township (which includes Oneida Reservation), Oneida Off-Reservation Trust Land, and noncontiguous portions of Seymour Township adjoining Oneida Nation Tribal Lands. This action is based on the most recent 3 consecutive years (*i.e.*, 2018-2020) of quality assured, certified ambient air quality monitoring data. A prepublication version of this notice is available [here](#).

Tony Pendola NC Small Business Environmental Assistance Program 4/7/2021

This morning, OAQPS released a new strategy related to air toxics that should significantly affect SBEAPs. They are improving how they work internally and externally with groups like us. It specifically states that they will enhance coordination, collaboration, and communication! Perhaps my inclusion on their 6H workgroup is an effect of this new strategy. It also has an emerging pollutant and environmental justice focus. Please see the attached overview.

Tony Pendola NC Small Business Environmental Assistance Program 4/1/2021

I have been given a booth at the Automotive Service Association Expo at the end of the month. As such, SBEAP is listed as a sponsor. Here is a draft of the booth. I have links to me in NC, the SBEAP autobody page and state contact list, the Collision Repair Campaign, and of course the Reg Nav Tool. I don't anticipate many live visitor chats, so I don't think I'll need any help. If you have any suggestions or edits, let me know. More excitingly, EPA has requested that I serve on their workgroup performing a technology review for the 6H rule. They are intrigued by my work on the exemption and will allow me to present the argument that we should eliminate it. Are there other parts of 6H that you would like to see changed?

R Mark Stoddard IN Compliance & Technical Assistance Program 4/1/2021

What is the status of the online 6H training?

Could the online training be augmented to also suffice for individual state RACT rule requirements which also require training? In my state, body shops can be confused when an air inspector shows up to review the Auto Body RACT rule requirements which stipulates training which initially appears to be identical to that required by 6H. Covering both regulations with one training is better than confusing the body shop with overlapping, but separate trainings.

John Podolinsky MT Small Business Environmental Assistance Program 3/26/2021

National Asbestos Awareness Week [info](#).

Rhonda Wright US EPA 3/25/2021

Earlier this week, EPA released three new online tools that provide information about nonattainment and maintenance areas for the National Ambient Air Quality Standards (NAAQS). These tools, part of EPA's State Planning Electronic Collaboration System (SPECS), will replace the nonattainment and maintenance area information currently provided at EPA's [SIP Status Reports](#).

1. The ***Nonattainment and Maintenance Population Tool*** displays the number of people living in designated nonattainment and maintenance areas for current and revoked NAAQS, based on 2019 population. It also displays the individual counties in nonattainment and maintenance areas on an interactive map.
2. The ***Nonattainment and Maintenance Area Dashboard*** provides information about nonattainment and maintenance areas for current and revoked NAAQS. Information in the dashboard can be filtered by state, NAAQS, area name, area status, area classification, and other fields. When viewing information about a specific area, the history of EPA actions on the area is displayed at the bottom of the page.
3. The ***Required State Implementation Plan (SIP) Elements Dashboard*** provides details about individual states' Clean Air Act and regulatory planning requirements associated with implementing, attaining, and maintaining the NAAQS through SIPs. Information in the dashboard can be filtered by state, plan category, NAAQS, area, and specific SIP element.

The tools are available [here](#).

Nancy Larson KS Small Business Environmental Assistance Program 3/24/2021

For those of you working in water quality:

*****Small Business Environmental Roundtable Meeting*****

FRIDAY, April 9, 10 a.m. – 12:00 p.m.

Via Microsoft Teams Meeting

The next SBA, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, April 9, 2021. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to astrika.adams@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:05 AM Introductions *Astrika Adams, Office of Advocacy, SBA*

10:05 AM – 11:05 AM EPA's Final 2021 Multi-Sector General Permit (MSGP)

Emily Anwari Halter, Office of Water, EPA

Alicia Denning, Office of Pesticide Programs, EPA

11:05 AM – 11:35 AM EPA's Final 2021 MSGP, Small Business Perspective

Jeffrey Longworth, Barnes & Thornburg LLP and Coordinator for the Federal StormWater Association

11:35 AM – 12:00 PM Discussion *Astrika Adams, Office of Advocacy, SBA*

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to astrika.adams@sba.gov. The purpose of these roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable April 9, 2021

Issues for Discussion

EPA's Final 2021 Multi-Sector General Permit (MSGP)

The Environmental Protection Agency (EPA) recently published its final 2021 Multi-Sector General Permit (MSGP) under the Clean Water Act (CWA). Under the CWA, EPA is authorized to issue a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of any pollutant into a water of the United States from a point source. EPA is further authorized under the CWA to establish permit application requirements for stormwater discharges associated with industrial activity using a phased

approach. As a result of such authorization, EPA has issued the MSGP for industrial stormwater discharge at least every five years beginning in 1995. The MSGP contains provisions requiring industrial facilities to implement control measures and develop site-specific stormwater pollution prevention plans (SWPPPs) to comply with the NPDES program.

On January 15, 2021, EPA issued the 2021 MSGP which replaces the 2015 MSGP. The 2021 MSGP has significant modifications from the 2015 MSGP, including the requirement for permittees not otherwise obligated to adhere to certain benchmark monitoring requirements to collect data on pH, TSS, and COD. In addition, the 2021 MSGP has developed modified Additional Implementation Measures (AIM) requirements to address benchmark exceedances. The 2021 MSGP will expire on February 28, 2026, and EPA is expected to issue a new MSGP before this time.

At this roundtable, EPA will be providing an overview of the 2021 MSGP, including modifications made from the 2015 MSGP. Jeffrey Longworth is a Partner at Barnes & Thornburg LLP as well as the Coordinator for the Federal Stormwater Association, which represents the interests of several small business members. Mr. Longworth will be providing comments on the impact of the changes in the 2021 MSGP on small businesses. Time will be available for discussion and questions directed to both EPA and Mr. Longworth.

Nancy Larson KS Small Business Environmental Assistance Program 3/23/2021

We just came off of a meeting where people ask about example case studies/summaries. As a reminder, we have several dozen listed at on our [National SBEAP site](#), but they are a little hard to find, something we will fix on our updated site. Stay tuned but be sure to include your case study/summary information in the Annual Report if you have not already!

Nancy Larson KS Small Business Environmental Assistance Program 3/19/2021

EPA Reboots Climate Change Website

WASHINGTON (March 18, 2021) -- As part of the Biden-Harris Administration's commitment to action on climate change and restoring science, EPA is taking the first step in a relaunch of its climate change website. For the first time in four years, EPA now has a webpage to guide the public to a range of information, including greenhouse gas emissions data, climate change impacts, scientific reports, and existing climate programs within EPA and across the federal government.

"Climate facts are back on EPA's website where they should be," **said EPA Administrator Michael S. Regan.** "Considering the urgency of this crisis, it's critical that Americans have access to information and resources so that we can all play a role in protecting our environment, our health, and vulnerable communities. Trustworthy, science-based information is at the foundation of strong, achievable solutions." [Watch EPA Administrator Michael Regan's Climate Change Video Message.](#)

The Biden-Harris Administration has made it clear that addressing climate change is a national priority. In the weeks and months to come, EPA will be adding new, updated information on climate change science, impacts, what EPA is doing and what you can do, providing a trustworthy, accurate public resource on climate change issues and solutions.

Climate change leads to rising seas, retreating snow and ice, and to changes in the frequency and intensity of heat waves, precipitation, and extreme weather events. These changes, occurring as a result of the buildup of greenhouse gases due to human activities, are changing the climate at a pace and in a way that threatens human health, society, and the natural environment. Children, the elderly, and the poor are among the most vulnerable to climate-related health effects. [Climate Change website.](#) [Climate Change website in Spanish.](#)

John Podolinsky MT Small Business Environmental Assistance Program 3/17/2021

I just learned about a [webinar](#) on Libby and the related asbestos health emergency is going on right now till 1pm hosted by the U of MT.

Rhonda Wright US EPA 3/11/2021

On Wednesday (March 10), the Acting Administrator re-signed the December 2020 Round 4 SO2 designations action. The pre-publication notice and fact sheet have been updated and are on the [web](#).

***FYI:** The final rule signed Dec. 21, 2020, did not publish in the Federal Register. After review in accordance with the Regulatory Freeze memo, this action was re-signed. The substance of the package is unchanged.*

Nancy Larson KS Small Business Environmental Assistance Program 3/10/2021

EPA Seeks Public Comment on Protecting Human Health and the Environment from PBT Chemicals

Contact Information: EPA Press Office (press@epa.gov)

(Lenexa, Kan., March 10, 2021)—Today, in accordance with Biden-Harris Administration executive orders and directives, the U.S. Environmental Protection Agency (EPA) is asking for additional public input on five final rules for persistent, bioaccumulative and toxic (PBT) chemicals issued on January 6, 2021, under the Toxic Substances Control Act (TSCA). These rules, which went into effect last month, address exposure to toxic chemicals that remain in the environment for long periods of time and build up in the body. “These rules are intended to provide critical health protections for Americans, including children, workers, other potentially at-risk groups, and the environment,” said **Michal Freedhoff, Acting Assistant Administrator for the Office of Chemical Safety and Pollution Prevention**. “Re-examining these rules under the Biden-Harris Administration and making any necessary changes to them will ensure we’re delivering on the promise to protect human health and the environment by reducing exposure to toxic chemicals.” As a first step in its efforts to immediately review these rules, EPA is opening a 60-day comment period for the public to provide new input on:

- Whether the rules sufficiently reduce exposure to these chemicals, including exposures to potentially exposed or susceptible subpopulations, and the environment.
- Newly raised compliance issues associated with the final rule on phenol, isopropylated phosphate (3:1) (PIP (3:1)) including the compliance dates for certain regulated articles.
- Whether to consider additional or alternative measures or approaches.

This review is being done in accordance with the Protecting Public Health and Environment and Restoring Science to Tackle to Climate Crisis Executive Order, which asks all agencies to review their actions to ensure that they meet statutory obligations, are guided by the best available science, ensure the integrity of federal decision-making, and protect human health and the environment.

EPA will use the feedback received during this public comment period to determine the best path forward, which could include amending the current rules to include additional or alternative exposure reduction measures or extending compliance dates for certain regulated products and articles. Upon publication of the Federal Register notice, EPA will accept public comments in docket EPA-HQ-OPPT-2021-0202 on www.regulations.gov for 60 days.

As noted above, the notice seeks comment on newly raised issues associated with the March 8, 2021, compliance date for the prohibitions on processing and distribution of Phenol, Isopropylated Phosphate (3:1) (PIP (3:1)) for use in articles, and the articles to which PIP (3:1) has been added. Stakeholders recently informed EPA that the prohibition on processing and distribution of PIP (3:1) could impact articles used in a wide variety of electronics, from cell phones to robotics used to manufacture semiconductors, to equipment used to move COVID-19 vaccines and keep them at the appropriate temperature. Stakeholders note that the complexity of international supply chains makes locating the presence of, and finding alternatives to, PIP (3:1) in components challenging. They assert that an extension to the compliance deadline is necessary to avoid significant disruption to the supply chain for a wide variety of articles. It was not EPA’s intent during the development of the rule to have such a broad disruptive impact. Thus, EPA is also announcing its expectation that this specific issue will be addressed as part of the broader re-examination of these rules. Based in part on the information collected as part of the effort announced today, EPA intends to extend compliance dates as necessary for the prohibitions on processing and distribution of PIP (3:1) for use in some articles, and some of the articles to which PIP (3:1) has been added.

For these same reasons, EPA is issuing a temporary 180-day “No Action Assurance” indicating that the agency will exercise its enforcement discretion regarding the prohibitions on processing and distribution of PIP (3:1) for use in articles, and the articles to which PIP (3:1) has been added. The agency is taking this action to ensure that the supply chain of these important articles is not interrupted while EPA continues to collect the information needed to best inform subsequent regulatory efforts and allow for the issuance of a final agency action to extend the March 8, 2021, compliance date as necessary. [Learn about the public comment period and view the documents related to the “No Action Assurance.”](#) [Learn more about the PBT rules.](#) [Learn more about EPA Region 7.](#) [Connect with EPA Region 7 on Facebook.](#)

Christine Anderson Pollution Prevention Coordinator, US EPA Region 5 3/9/2021

Part II: Best Practices for Reducing Fugitive Emissions from Ammonia Refrigeration Systems Used in the Food and Beverage Sector

March 17, 2021, 2:00 PM - 3:00 PM EDT

[Register Now.](#)

In this webinar, the University of Wisconsin-Madison (UW-Madison) will highlight a best practices guidance document as part of its recently completed food and beverage pollution prevention work funded under EPA Region 5’s Pollution Prevention (P2) grant program. The objective of the webinar is to provide attendees with:

1. Principles of refrigerant inventory determination for industrial ammonia refrigeration systems.
2. The application of refrigeration system inventory determination for dynamically tracking refrigerant losses from systems that would otherwise go undetected; and
3. Applicable industry standards for managing refrigerant additions to ammonia systems.

Applications of these methods are intended to help food and beverage plants as well as large food distribution facilities reduce their “consumption” of ammonia in an effort to achieve P2 goals.

Speakers:

- Douglas Reindl, Ph.D., P.E., Professor UW-Madison & Director of the Industrial Refrigeration Consortium
- Marc Claas, Researcher, UW-Madison’s Industrial Refrigeration Consortium

P2 Webinar Series

Did you miss a recent webinar? Check out the EPA P2 Program [webinar webpage](#) to listen to webinars you might have missed or to revisit ones for a refresher.

Sara Johnson NH Small Business Environmental Assistance Program 3/9/2021

Federal Register Notices - 2/23/21, Extension of comment period, NESHAP Mercury Cell Chlor-Alkali Plants, Primary Magnesium Refining, Flexible Polyurethane Foam Fabrication Operations, Refractory Products Manufacturing, Carbon Black Production, and Cyanide Chemicals Manufacturing Residual Risk and Technology Reviews, [10909-10911](#).

[The public comment periods for the proposed rules published in the Federal Register on January 8, 2021 (86 FR 1362 and 86 FR 1390), originally ending February 22, 2021, are being extended. Written comments may now be received on or before March 24, 2021.]

2/22/21, Notice of availability, Applicability Determination Index Data System Posting: Formal Responses to Inquiries Concerning Compliance with the Clean Air Act Stationary Source Program, [10567-10581](#).

[This notice announces the availability of applicability determinations, alternative monitoring decisions, and regulatory interpretations made by EPA with regard to the New Source Performance Standards (NSPS); the National Emission Standards for Hazardous Air Pollutants (NESHAP); the Emission Guidelines and Federal Plan Requirements for existing sources; and/or the Stratospheric Ozone Protection Program.]

Rhonda Wright US EPA 3/9/2021

Please share with your stakeholders that on Friday, March 5, the Acting Administrator re-signed a final action to remove General Provisions language that exempted sources, unless otherwise regulated, from compliance with emission standards during periods of startup, shutdown, and malfunction (SSM).

FYI: This final rule was signed on January 5, 2021 and did not publish in the Federal Register. After review in accordance with the Regulatory Freeze memo, this action will be re-signed. The substance of the package is unchanged.

I'm pleased to share with you a paper "Long-Term Trends in Regional Wet Mercury Deposition and Lacustrine Mercury Concentrations in Four Lakes in Voyageurs National Park," which was recently published in the open-access journal *Applied Sciences*. The paper is available for free [download](#).

This [article](#) will be seen by tens of thousands of body shops, so you might want to check in with your regulators on how they are handling exemptions if you haven't already.

EPA recently published its final risk evaluation for the sixth of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). EPA completed the final risk evaluations for pigment violet 29 (PV29) and n-methyl-2-pyrrolidone (NMP). PV29 is used as a pigment primarily as an intermediate to create or adjust color. It is incorporated into paints and coatings used in the automobile industry, into plastic and rubber products used in automobiles and industrial carpeting. It is also used in merchant ink for commercial printing and for use in consumer watercolors and artistic color. EPA found unreasonable risks to workers and occupational non-users from 10 out of 14 conditions of use of PV29. NMP is an organic solvent that is often used as a substitute for halogenated solvent for producing and removing paints, coatings, and adhesives. It is also used in the manufacture and production of electronics,

petrochemical products, polymers, and other specialty chemicals. EPA found unreasonable risks to workers and consumers from 26 out of 37 conditions of use of NMP. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options.

The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of this final risk evaluation, with time for discussion and questions.

HFC Phase-Down under the American Innovation and Manufacturing Act

On December 27, 2020, the President signed the “Consolidated Appropriations Act, 2021,” which includes the American Innovation and Manufacturing Act of 2020 (AIM Act). The AIM Act directs EPA to establish a regulatory framework for phasing down the production and consumption of hydrofluorocarbons (HFCs) over a fifteen-year period. HFCs are targeted because they are a highly potent greenhouse gas. New regulations will have a significant effect on the marketplace, including reopening some EPA regulations finalized over the last four years. At this roundtable, EPA will present on the new statute and look forward to the required rulemakings.

John Podolinsky MT Small Business Environmental Assistance Program 2/19/2021

The Federal Interagency Committee on Indoor Air Quality (CIAQ) will hold its next public webinar on Wednesday, March 3, 2021, beginning at 1:00 p.m. EST. At the meeting, CIAQ member agencies will provide updates on indoor environmental quality-related activities at their agencies. Following these updates, there will be an invited presentation on topics of interest to the IAQ community includes - current research on an approach to identify homes with and without mold/moisture problems.

The agenda for the March meeting will be provided on the CIAQ website [lnks.gd] shortly.

CIAQ was established by Congress in 1983 with the intent to coordinate federal indoor air quality (IAQ) research while facilitating the exchange of information and collaboration among federal agencies, state and local governments, the research community, the private sector, and the general public.

To register for the webinar, please use think [link](#).

For audio, participants should call into our phone line which will be provided by in the GoTo Webinar classroom the day of the meeting. Please note, this meeting will be entirely virtual, and participants will not have the option to attend in person, as they may have done in the past. More [information](#) on the CIAQ and its activities. If you have questions, a presentation topic, or other suggestions that you would like considered for future meetings, please send them to burton.laureen@epa.gov.

Rhonda Wright US EPA 2/19/2021

On Friday, February 12th, the U.S. Environmental Protection Agency (EPA) extended the comment period for several proposed National Emission Standards for Hazardous Air Pollutants:

- Mercury Cell Chlor-Alkali Plants Risk and Technology Review (RTR) and Primary Magnesium Refining RTR that currently close on February 22, 2021, will now remain open until March 24, 2021.
- Flexible Polyurethane Foam RTR that currently closes on February 25, 2021, will now remain open until March 29, 2021.
- Refractory Products Manufacturing RTR, Carbon Black Production RTR, and Cyanide Chemicals Manufacturing RTR that currently close on March 1, 2021, will now remain open until March 31, 2021.

Extending the comment periods for these proposed rules will allow additional time for stakeholders to review and comment.

More information for these actions, including public comment review tools and pre-publication versions of the notices, are available at:

<https://www.epa.gov/stationary-sources-air-pollution/mercury-cell-chloralkali-plants-national-emissions-standards>

<https://www.epa.gov/stationary-sources-air-pollution/primary-magnesium-refining-national-emissions-standards-hazardous>

<https://www.epa.gov/stationary-sources-air-pollution/flexible-polyurethane-foam-fabrication-operations-national-emission>

<https://www.epa.gov/stationary-sources-air-pollution/refractory-products-manufacturing-national-emissions-standards>

<https://www.epa.gov/stationary-sources-air-pollution/carbon-black-production-area-sources-national-emission-standards>

<https://www.epa.gov/stationary-sources-air-pollution/acetal-resins-acrylic-modacrylic-fibers-carbon-black-hydrogen>

Paula Hoag UT Small Business Ombudsman 2/12/2021

EPA Seeks Small Businesses Input on Risk Management Rulemaking for Asbestos, Part 1: Chrysotile Asbestos

WASHINGTON (February 11, 2021) — The U.S. Environmental Protection Agency (EPA) is inviting small businesses, governments, and not-for-profits to participate as Small Entity Representatives (SERs) to provide advice and recommendations to a Small Business Advocacy Review (SBAR) panel for Asbestos, Part 1: Chrysotile Asbestos. The panel will focus on the agency's development of a proposed rule to address unreasonable risks identified in EPA's recently completed Toxic Substances Control Act (TSCA) risk evaluation for this chemical.

Under TSCA, EPA is required to evaluate the risks associated with existing chemicals in commerce using the best available science before taking action to address any unreasonable risk. The agency issued a final risk evaluation, [Asbestos, Part 1: Chrysotile Asbestos](#), in December 2020, showing unreasonable risks to workers, occupational non-users (ONUs), consumers, and bystanders under certain conditions of use. EPA is now moving to the risk management step in the TSCA process by working to draft a regulation to protect public health from the unreasonable risks identified in the final risk evaluation.

The Regulatory Flexibility Act requires agencies to establish a SBAR Panel for rules that may have a significant economic impact on a substantial number of small entities. The SBAR panel will include federal representatives from the Small Business Administration (SBA), the Office of Management and Budget (OMB), and EPA.

SERs will be selected by the SBAR Panel to provide comments on behalf of their company, community, or organization and advise the panel on the potential impacts of the proposed rule on small entities. EPA is seeking self-nominations directly from the small entities that may be subject to the rule requirements. Other representatives, such as trade associations that exclusively or at least primarily represent potentially regulated small entities, may also serve as SERs.

SERs provide advice and recommendations to the panel. The SERs participate in consultations with the SBAR Panel via telephone, webinar, or in person in one or two meetings and are given an opportunity to submit written comments to the Panel.

Self-nominations may be submitted through the link below and must be received by February 25, 2021.

For more information and the nomination process go to the [EPA press release](#).

Nancy Larson KS Small Business Environmental Assistance Program 2/9/2021

Dear SBO/SBEAPs:

If you are like most state programs, you serve hundreds of small business clients, assisting them with compliance, obtaining permits and possibly finding ways to be more efficient, save money and/or reduce

toxic emissions. But when asked by your funders or management, are you able to produce tangible evidence that your program is helping these clients and in what way?

Join us Thursday at 10am Mountain, 11am Central, noon Eastern for a panel discussion featuring three state SBEAPs that will share how, what, and why they collect client impact outcomes.

Rhonda Wright US EPA 2/2/2021

U.S. Environmental Protection Agency

Office of Air Quality Planning and Standards (OAQPS)

WEBINAR

WHAT'S COMING NEXT? WHAT YOU NEED TO KNOW?

You are invited to participate in OAQPS' webinar on EPA's Proposed Risk and Technology Review (RTR) Amendments to Air Toxics Standards for Carbon Black Manufacturing Production, Cyanide Chemical Manufacturing, Flexible Polyurethane Foam Fabrication, and Primary Magnesium Refining. We will discuss what these proposed amendments mean for you, what you can expect next, and help answer any questions you may have about the proposal. This will be an interactive discussion, so please feel free to ask your questions and share your thoughts. **REGISTRATION IS REQUIRED.**

HOW TO PARTICIPATE

Date: Wednesday, February 10, 2021

Time: 2:30 PM – 4:00 PM (EST)

Audience: Federally Recognized Tribes, Small Businesses, and Environmental Justice Communities

How to Participate: **Registration is required for this event.** To register, please provide your full name, organization, phone number (*the one you will use to call into the webinar*), and email address to Toni Colón at colon.toni@epa.gov. After registering, you will receive a confirmation email containing information on how to join the webinar. We will be using Microsoft Teams for this event. You will have the option of joining by either a computer link or by telephone (not both). **Please register by COB, Monday, February 8, 2021.**

AGENDA

2:30 PM – 2:45 PM

CARBON BLACK MANUFACTURING PRODUCTION

Korbin Smith, Rule Lead

January 14, 2021— EPA proposed to amend the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Carbon Black Manufacturing Production. Following the residual risk and technology review, of the NESHAP conducted under the requirements of the Clean Air Act, EPA is proposing several changes to the rule including minor amendments to enhance the effectiveness of the rule by improving compliance and implementation, as well as broadening the existing emission limit to account for unregulated processes. You can access the proposal and fact sheet below and submit comments on the *Federal Register* website [here](#).

- [Fact Sheet - Proposed Amendments to Air Toxics Standards for Carbon Black Manufacturing Production \(PDF\)](#)(3 pp, 182 K)
- [Proposed Regulation Edits for Carbon Black Production RTR \(PDF\)](#)(155 pp, 753 K)

2:45 PM – 3:00 PM

CYANIDE CHEMICAL MANUFACTURING

Nate Topham, Rule Lead

January 15, 2021— EPA proposed to amend the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Cyanide Chemicals Manufacturing. Following the residual risk and technology review of the NESHAP conducted under the requirements of the Clean Air Act, EPA is proposing minor amendments to enhance the effectiveness of the rule by improving compliance and implementation along with other edits to the rule. A summary fact sheet for the proposed rule, along with proposed regulation edits, are available below. You can access the proposal and submit comments on the *Federal Register* website [here](#).

- [Fact Sheet - Proposed Amendments to the National Emission Standards for Hazardous Air Pollutants for Cyanide Chemicals Manufacturing \(PDF\)](#)(3 pp, 188 K, 01/06/2021)
- [Proposed Regulation Edits for Cyanide Chemicals Manufacturing RTR \(PDF\)](#)(151 pp, 977 K)

3:00 PM – 3:15 PM FLEXIBLE POLYURETHANE FOAM FABRICATION

Lisa Sutton, Rule Lead

January 11, 2021—EPA proposed to amend the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Flexible Polyurethane Foam Fabrication Operations major source category and to amend the 2007 NESHAP for the Flexible Polyurethane Foam Production and Flexible Polyurethane Foam Fabrication area source categories. Following a residual risk and technology review (RTR) conducted under the Clean Air Act (CAA) for the major sources, EPA is proposing several changes to the rule. A summary fact sheet for the proposed rule, along with proposed regulation edits, are available below. You can access the proposal and submit comments on the *Federal Register* website [here](#).

- [Fact Sheet - Proposed Amendments to Air Toxics Standards for Flexible Polyurethane Foam Production and Fabrication \(PDF\)](#)(3 pp, 161 K, 01/05/2021)
- [Proposed Regulation Edits for Flexible Poly Foam RTR \(PDF\)](#)(70 pp, 1 MB)

3:15 PM – 3:30 PM PRIMARY MAGNESIUM REFINING

Mike Moeller, Rule Lead

January 8, 2021 — EPA proposed amendments to the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Primary Magnesium Refining. Following a residual risk and technology review (RTR) conducted under the Clean Air Act (CAA), EPA is proposing several changes to the rule. A summary fact sheet for the proposed rule, along with proposed regulation edits, are available below. You can access the proposal and submit comments on the *Federal Register* website [here](#).

- [Fact Sheet - Proposed Amendments to Air Toxics Standards for Primary Magnesium Refining \(PDF\)](#)(3 pp, 241 K, 01/04/2021)
- [Proposed Regulation Edits for Primary Magnesium Refining \(PDF\)](#)(84 pp, 622 K)

3:30 PM – 4:00 PM QUESTIONS & ANSWERS

Nancy Larson KS Small Business Environmental Assistance Program 2/1/2021

*****SBA Environmental Roundtable Meeting*****

FRIDAY, February 5, 2021, 10 a.m. – 12:30 p.m.

Via Microsoft Teams Meeting

The next SBA, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, February 5, 2021. The meeting will be held using the Microsoft Teams platform. Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:15 AM **Introductions and Update on Chemicals Designated as High Priority under TSCA**
Tabby Zeb, Office of Advocacy, SBA

10:15 AM – 11:30 AM **EPA's Final Risk Evaluations for 1,4 Dioxane and Asbestos**
Cindy Wheeler, Office of Pollution Prevention and Toxics, EPA
Alie Muneer, Office of Pollution Prevention and Toxics, EPA

11:30 AM – 12:30 PM **EPA's Proposed Toxic Substance Control Act Fee Revisions**
Marc Edmonds, Office of Pollution Prevention and Toxics, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable February 5, 2020

Issues for Discussion

EPA's Final Risk Evaluations for 1,4 Dioxane and Asbestos

EPA recently published its final risk evaluation for the sixth of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). EPA completed the final risk evaluations for 1,4 dioxane and asbestos. 1,4-Dioxane is a clear volatile liquid used primarily as a solvent. This chemical is also used as a processing aid, functional fluid, laboratory chemical, adhesive, sealant, spray polyurethane foam, printing, and dry film lubricant. EPA found unreasonable risks to workers and occupational non-users from 13 conditions of use of 1,4-dioxane. EPA only evaluated chrysotile asbestos which is currently imported for use exclusively by the chlor-alkali industry. Chrysotile asbestos is also contained in products that are imported such as: sheet gaskets, brake blocks, aftermarket automotive brakes/linings, other vehicle friction products, and other gaskets. EPA found unreasonable risks to workers, occupational non-users, consumers, and bystanders from most of the conditions of use reviewed for chrysotile asbestos. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options. The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of this final risk evaluation, with time for discussion and questions.

TSCA Proposed Fees Rules

On January 11, 2021, EPA proposed revisions for its 2018 fees rule under the Toxic Substance Control Act (TSCA). EPA is required to review and adjust the fees, if necessary, every three years. Among the proposed changes, EPA is adding new fee categories and providing exemptions for some fee-triggering activities. For example, EPA is proposing to exempt three categories of manufacturers from EPA-initiated risk evaluation fees: importers of articles containing the chemical substance, manufacturers of the substance that is produced as a byproduct, and manufacturers of the substance that is produced or imported as an impurity.

EPA has also proposed various changes to adjust its fees including a new production volume-based allocation for EPA-initiated risk evaluation fees. Regarding this change, EPA acknowledges that the incorporation of a production volume fee calculation may result in some small businesses paying higher fees if they produce more than other manufacturers. As a result, EPA is specifically requesting comments on its new cost methodology, its impact on small businesses, and whether caps for fees should be considered for small businesses. The comments are due February 25, 2021.

Mark Stoddard IN Compliance & Technical Assistance Program 1/19/2021

Attached is a little brewery waste handout that describes what we did. Here is the [podcast](#) and 3 min [video](#).

R Kaitlin Urso 1/19/2021

Excellent reuse project. We have a similar program with Odell Brewing in Fort Collins, CO.

Nancy Larson KS Small Business Environmental Assistance Program 1/19/2021

Register for the February 3 Webinar on Asbestos Part 1: Chrysotile Asbestos

On February 3, 2021, from 1:00 PM to 3:30 PM, EPA will host a webinar to educate stakeholders on the risk management process under the Toxic Substances Control Act (TSCA) and the findings in the [final risk evaluation for Asbestos Part 1: Chrysotile Asbestos](#). The webinar will also give the public an opportunity to provide input on considerations the agency should take into account for managing these unreasonable risks.

[Register for the webinar](#). If you would like to provide oral comments during the event, you must register by 5:00 EST on January 29, 2021. Select “attend and make a comment” when registering. You may register as a listen-only attendee at any time up to the end of the meeting. For listen-only attendees, select “listen-only” when registering.

Details on how to access the webinar and slides will be sent to participants after registering via Eventbrite.com. Please ensure that emails from Eventbrite.com will not be blocked by your spam filter. EPA will provide a transcript and recording on [EPA’s Asbestos Part 1: Chrysotile Asbestos](#) webpage following the webinar.

Additionally, EPA will begin formal consultations with state and local governments, tribes, environmental justice communities, and small businesses. There will also be an open public comment period on any draft risk management regulation.

[Learn more about risk management for Asbestos Part 1: Chrysotile Asbestos](#).

Background

TSCA is our nation’s primary chemicals management law. This law requires EPA to evaluate the risks associated with exposure to existing chemicals using the best available science then take action to reduce or eliminate any unreasonable risk identified. The agency issued a final risk evaluation for Asbestos Part 1: Chrysotile Asbestos in December 2020 showing unreasonable risks to workers and consumers under certain conditions of use. EPA is now moving to risk management for this chemical, the next step in the process required by TSCA.

There are several actions EPA can take alone or in combination under TSCA to address unreasonable risks including banning a chemical; restricting the manufacturing, processing, distribution, use, or disposal; requiring warning labels/testing; and requiring manufacturers to notify distributors of any unreasonable risks. EPA has up to one year after issuing a final risk evaluation to propose risk management actions followed by a public comment period and final rule.

Nancy Larson KS Small Business Environmental Assistance Program 1/15/2021

USDA Publishes Final Rule for the Domestic Production of Hemp

WASHINGTON, Jan. 15, 2021—The U.S. Department of Agriculture (USDA) today announced the final rule regulating the production of hemp in the United States. The final rule incorporates modifications to regulations established under the interim final rule (IFR) published in October 2019. The modifications are based on public comments following the publication of the IFR and lessons learned during the 2020 growing season. The [final rule](#) is available for viewing in the Federal Register and will be effective on March 22, 2021.

“With the publication of this final rule, USDA brings to a close a full and transparent rule-making process that started with a hemp listening session in March 2019,” said USDA Marketing and Regulatory Programs Under Secretary Greg Ibach. “USDA staff have taken the information you have provided through three comment periods and from your experiences over a growing season to develop regulations that meet Congressional intent while providing a fair, consistent, science-based process for states, tribes and individual producers. USDA staff will continue to conduct education and outreach to help industry achieve compliance with the requirements.”

Key provisions of the final rule include licensing requirements; recordkeeping requirements for maintaining information about the land where hemp is produced; procedures for testing the THC concentration levels for hemp; procedures for disposing of non-compliant plants; compliance provisions; and procedures for handling violations.

Background:

On Oct. 31, 2019, USDA published the IFR that provided specific details on the process and criteria for review of plans USDA receives from states and Indian tribes regarding the production of hemp and established a plan to monitor and regulate the production of hemp in those states or Indian tribes that do not have an approved state or Tribal plan.

The IFR was effective immediately after publication in the Federal Register and provided a 60-day public comment period. On Dec. 17, 2019, USDA extended the comment period until Jan. 29, 2020, to allow

stakeholders additional time to provide feedback. USDA re-opened the comment period for 30 days, from Sept. 8 to Oct. 8, 2020, seeking additional comments from all stakeholders, especially those who were subject to the regulatory requirements of the IFR during the 2020 production cycle. In all, USDA received about 5,900 comments.

On Feb. 27, 2020, USDA announced the delay of enforcement of the requirement for labs to be registered by the Drug Enforcement Administration (DEA) and the requirement that producers use a DEA-registered reverse distributor or law enforcement to dispose of non-compliant plants under certain circumstances until Oct. 31, 2021, or the final rule is published, whichever comes first. This delay has been further extended in the final rule to December 2022.

The Agriculture Improvement Act of 2018 (2018 Farm Bill) directed USDA to issue regulations and guidance to implement a program for the commercial production of hemp in the United States. The authority for hemp production provided in the 2014 Farm Bill was extended until January 1, 2022, by the Continuing Appropriations Act, 2021, and Other Extensions Act (Pub. L. 116-260) (2021 Continuing Appropriations Act) allowing states and institutions of higher education to continue to grow or cultivate industrial hemp at certified and registered locations within the state for research and education purposes under the authorities of the 2014 Farm Bill.

More information about the provisions of the final rule is available on the [Hemp Production web page](#) on the Agricultural Marketing Service (AMS) website.

[View the Federal Register Notice](#)

Rhonda Wright US EPA 1/12/2021

Today, EPA issued a press release on a final rule that provides a clear framework for determining when standards are appropriate for emissions of greenhouse gases from specific source categories under Clean Air Act (CAA) section 111(b)(1)(A). The framework provides criteria – primarily an emissions threshold – for evaluating whether greenhouse gas (GHG) emissions from a source category are significant and should be regulated. A copy of the press release is below and you can find additional information, including a fact sheet, on the [web](#).

Rhonda Wright US EPA 1/12/2021

Yesterday, the Administrator signed a proposed response to approve a petition from the state of Maine to remove a portion of the state from the Ozone Transport Region (OTR) on the basis that additional emission controls required under the Clean Air Act for that area would not significantly contribute to attainment of any ozone standard in any area within the OTR. This action would remove all of Maine from the OTR except for 111 towns and cities comprising the Androscoggin Valley, Down East, and Metropolitan Portland Air Quality Control Regions, commonly referred to as the “Portland and Midcoast Ozone Areas”. A pre-publication version of the notice and a summary fact sheet are available on the [web](#).

Rhonda Wright US EPA 1/12/2021

Here is information on two actions the Administrator has signed. Thank you for sharing with your stakeholders.

Final Amendments to the Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)

On Friday, January 8, 2021, the Administrator signed final amendments to the 1987 Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (NSPS subpart Kb). The amendments will allow owners/operators of these tanks subject to the NSPS that are equipped with either an external floating roof or internal floating roof, to elect to comply with the requirements specified in the 1999 NESHAP in lieu of the 1987 standards subject to certain caveats and exceptions for monitoring, recordkeeping, and reporting. This will allow “in-service” inspections of the tanks, without emptying and degassing the storage tank. More information, including a summary fact sheet and pre- publication version of the notice, is available [here](#).

Municipal Solid Waste Landfills

Today, the Administrator signed proposed technical revisions and clarifications for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste (MSW) Landfills established in the March 26, 2020, final rule. These changes correct inadvertent errors and clarify wellhead monitoring requirements for the purpose of identifying excess air infiltration; delegation of authority to state, local or tribal agencies for “emission standards”; applicability of the General Provisions to affected MSW landfills; and handling of monitoring data for combustion devices during periods of monitoring system breakdowns, repairs, calibration checks and adjustments. EPA is proposing further amendments to the MSW Landfills New Source Performance Standards (NSPS) at 40 CFR part 60, subpart XXX, to clarify the timing of compliance for certain requirements of the MSW Landfills NSPS for existing MSW landfills that have modified but previously triggered the requirement to install a gas collection and control system under related MSW landfill rules. More information, including a summary fact sheet and a pre-publication version of the notice, is available [here](#).

Nancy Larson KS Small Business Environmental Assistance Program 1/11/2021

EPA Releases Improved Modeling Tool to Estimate Health Effects from Chemicals

Today, the U.S. Environmental Protection Agency (EPA) released an updated and improved version of [OncoLogic™](#), a system used to evaluate a chemical’s potential to cause cancer. EPA, in partnership with the Organization for Economic Co-operation and Development (OECD), developed a more user-friendly version of the most widely used piece of this system, greatly expanding its usability across the agency and the scientific community.

The updated module of this tool (version 9.0) is used to analyze organic chemicals, the largest group of chemicals contained in this tool, features:

- A streamlined interface that does not require expert knowledge to navigate.
- A standardized reporting format that allows users to quickly view and export results; and
- Increased transparency in the science behind the predictions provided by the model.

OncoLogic™ is one of many publicly available assessment methods, databases, and predictive tools developed by EPA to estimate hazard to humans and the environment, particularly in the absence of test data. These tools and models support EPA analyses in implementing programs and regulations like the Toxic Substances Control Act, and help external users assess and manage chemical risks. Version 8.0 will remain available to the public, which continues to include modules for fibers, metals, and polymers.

To download the OncoLogic™ model, visit this EPA [page](#).

Background

OncoLogic™ is a peer-reviewed predictive system that analyzes chemical structures to determine the likelihood that they might cause cancer. The model can evaluate more than 52 classes of organic chemicals as well as fibers, metals, and polymers.

The OncoLogic™ model works by analyzing chemical and use information submitted by a user and then follows a set of knowledge rules based on decades of research on how chemicals cause cancer in animals and humans including the known carcinogenicity of chemicals with similar chemical structures, information on mechanisms of action, short-term predictive tests, epidemiological studies, and expert judgment. It then constructs an estimation of the carcinogenicity potential of the chemical, assigning a baseline concern level for a chemical ranging from low to high.

Rhonda Wright US EPA 1/7/2021

The Administrator signed two more actions. Information is below. Thanks in advance for sharing this with your stakeholders.

Proposed Air Toxics Standards for Carbon Black Production (signed January 5, 2021)

EPA has evaluated the risks remaining after fully implementing the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Carbon Black Production facilities and determined that risks from this source category are acceptable. In addition, the Agency identified no developments in practices, processes, or control technologies that would further reduce emissions of hazardous air pollutants (HAP).

EPA is proposing to broaden the existing emission limit to account for unregulated emissions downstream of the main unit filter. Additionally, EPA has determined the standards continue to provide an ample margin of safety to public health and the environment.

EPA is proposing only minor amendments to the existing regulation. These proposed amendments clarify that the standards are applicable during periods of startup, shutdown, and malfunction (SSM); require electronic reporting of certain notifications; performance test results; and semiannual reports.

Proposed Air Toxics Standards for Cyanide Chemicals Manufacturing (signed January 6, 2021)

EPA has evaluated the risks remaining after fully implementing the 2002 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Cyanide Chemicals Manufacturing facilities and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is proposing no significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment.

EPA is proposing only minor amendments to the existing regulation. We are proposing standards for process wastewater emissions at existing sources that were previously unregulated by the NESHAP. We do not expect these standards to require installation of additional controls, significant costs to regulated entities or changes in emissions. These proposed amendments also clarify that the standards are applicable during periods of startup, shutdown, and malfunction; require electronic reporting of certain notifications; performance test results; and semiannual reports.

More information for both of these actions, including summary fact sheets, public comment review tools and pre-publication versions of the notices, are available [here](#).

Rhonda Wright US EPA 1/6/2021

The Administrator signed two actions yesterday:

Final Amendments to NESHAP General Provisions for Exemption from Emission Standards During Periods of Startup, Shutdown and Malfunction

EPA is amending Clean Air Act regulations relating to National Emission Standards for Hazardous Air Pollutants. Specifically, this action amends 40 CFR 63.6 (f)(1) and (h)(1) to remove General Provisions language that exempted sources, unless otherwise regulated, from compliance with emission standards during periods of startup, shutdown, and malfunction (SSM). Vacatur of these provisions was mandated by the United States Court of Appeals for the District of Columbia Circuit in 2009, making the removal of SSM exemptions immediately effective. More information, including a summary fact sheet and a pre-publication version of the notice, is available [here](#).

Air Toxics Standards for Flexible Polyurethane Foam NESHAP and RTR Proposed Rule

EPA has evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Flexible Polyurethane Foam Fabrication Operations major source category and determined that risks are acceptable. EPA identified no cost-effective developments in practices, processes or control technologies that would further reduce emissions of air toxics. However, EPA did identify one technology-related development that would codify current industry practices and prevent backsliding, although it is not expected to yield any reductions in emissions. Accordingly, EPA is proposing that total hazardous air pollutants content of adhesives used by new and existing loop slitters must be below 1 percent by weight.

EPA is also proposing minor changes to the original NESHAP for these source categories and has determined that the standards continue to provide an ample margin of safety to public health and the environment. More information, including a summary fact sheet, public comment review tool and pre-publication version of the notice, is available [here](#).

Rhonda Wright US EPA 1/5/2021

The Administrator signed four separate actions yesterday. Information for each of these actions is provided below.

Final NSR Error Correction Rule

Yesterday the Administrator signed a final rule to correct minor errors that have accumulated over time in four NSR regulations. The NSR regulations in 40 CFR 51 and 52 have undergone restructuring and revisions over the years, and a number of inadvertent errors have occurred over that time. These final corrections include corrections to misspelled words, incorrect punctuation, erroneous cross references, and rule vacatur. The rule also includes updates to reflect the 1990 Clean Air Act Amendments.

The pre-publication notice, a summary fact sheet and a summary redline strikeout table showing the changes made are all available on the [web](#).

Mercury Cell Chlor-Alkali Plants RTR Proposed Rule

The United States Environmental Protection Agency (EPA) is proposing amendments to the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) Mercury Cell Chlor-Alkali Plants Residual Risk and Technology Review. The proposed amendments will provide clarifications, corrections and improved compliance and reduce emissions of hazardous air pollutants. EPA has evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Mercury Cell Chlor-Alkali source category are acceptable and that they provide an ample margin of safety to protect public health and the environment. The pre-publication notice, a summary fact sheet and a public comment review tool are available [here](#).

Primary Magnesium Refining RTR Proposed Rule

The U.S. Environmental Protection Agency (EPA) has evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Primary Magnesium Refining major source category. Based on the results of the risk review, EPA is proposing that risks from emissions of air toxics from this source category are acceptable and that after removing the exemptions for startup, shutdown, and malfunction (SSM), the NESHAP will provide an ample margin of safety.

Under the technology review, EPA is proposing to one development in technology and practices that will require continuous pH monitoring for all control devices used to meet the acid gas emission limits of this rule. There are no other identified developments in practices, processes, or control technologies for this source category. In addition, EPA is addressing a previously unregulated source of chlorine emissions, known as the chlorine bypass stack, by proposing a maximum achievable control technology emissions standard for chlorine emissions from this source. We are also proposing amendments to the regulatory provisions related to emissions during periods of SSM, including removing exemptions for periods of SSM and adding a work practice standard for malfunction events associated with the chlorine reduction burner; all emission limits will apply at all other times. Finally, EPA is proposing electronic reporting of performance test results and performance evaluation reports. The pre-publication notice, a summary fact sheet and a public comment review tool are available [here](#).

Refractory Products Manufacturing RTR

The U.S. Environmental Protection Agency (EPA) has evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants for the Refractory Products Manufacturing source category and determined that risks are acceptable, and the standards provide an ample margin of safety to protect public health and the environment.

Based on the technology review, EPA is proposing improvements to the work practice standards that apply during scheduled maintenance of control devices for emissions of organic air toxics from continuous kilns. For clay refractory product manufacturers, EPA is proposing emission limits for mercury and particulate matter (as a surrogate for non-mercury metal air toxics). For nonclay refractory product manufacturers, EPA is proposing a work practice standard to use natural gas as fuel to reduce metal air toxics emissions. EPA is also proposing minor amendments to the existing regulation to clarify that the standards are applicable during periods of startup, shutdown, and malfunction, and to require electronic reporting of performance test results. The pre-publication notice, a summary fact sheet and a public comment review tool are available [here](#).

In December 2020, Anne Austin signed a correction notice for the final MM2A rule. It was published on December 28, 2020. This action corrects inadvertent typographical errors and redundant text in the Federal Register and do not affect the requirements of the final rule. The published version of the Correction Notice is available [here](#). This final rule is effective on January 19, 2021.

Rhonda Wright US EPA 1/5/2021

The final Guidance on the Preparation of Clean Air Act Section 179B Demonstrations for Nonattainment Areas Affected by International Transport of Emissions is now available on the [web](#).

This guidance is intended to assist state, local, and tribal air agencies that are considering the development of a demonstration, under section 179B of the Clean Air Act (CAA), that a nonattainment area would be able to attain, or would have attained, the relevant National Ambient Air Quality Standard (NAAQS) but for emissions emanating from outside the U.S. The guidance describes and provides examples of the kinds of information and analyses that EPA recommends air agencies consider including in a CAA section 179B demonstration. EPA accepted comments on the draft guidance from January 9, 2020, through March 10, 2020. EPA hosted a webinar on February 12, 2020, following release of the draft section 179B guidance. This webinar is also relevant for the final guidance and is available online at the link above.

Lea Carmichael US EPA 1/4/2021

I'd like to notify you of the recent updates we've made to our ASBO webpages, which are intended to improve navigation and accessibility. The web links are provided below for your convenience.

1. [Asbestos and Small Business Ombudsman](#)
2. [Resources and Reports from EPA's Asbestos and Small Business Ombudsman](#)
 - a. Please note the newly added [printable version of the Program Guide](#)
3. [Small Business at EPA Bulletin](#)

Tony Pendola NC Small Business Environmental Assistance Program 1/1/2021

Distilleries fines for making hand sanitizer being rescinded ([article](#)). _

Nancy Larson KS Small Business Environmental Assistance Program 12/31/2020

EPA Releases Final Risk Evaluations for Asbestos, Part 1: Chrysotile Asbestos

Today, the U.S. Environmental Protection Agency (EPA) released the final risk evaluation for asbestos, part 1: chrysotile asbestos. Under the Toxic Substances Control Act (TSCA), EPA is required to evaluate the risks associated with exposure to existing chemicals in commerce using the best available science, and then take action to address any unreasonable risk identified. Today's announcement completes the first part of the final risk evaluation for asbestos. Part 1 of the risk evaluation for asbestos is specific to chrysotile asbestos.

EPA used feedback received during the public comment period and the scientific peer review process carried out by the Science Advisory Committee on Chemicals to inform the final risk evaluation for asbestos, part 1: chrysotile asbestos. Of the six use categories evaluated (chlor-alkali diaphragms, sheet gaskets, other gaskets, oilfield brake blocks, aftermarket automotive brakes/linings, and other vehicle friction products), EPA found that there is unreasonable risk to workers, occupational non-users, consumers, and/or bystanders within each of the six chrysotile asbestos use categories. EPA found no unreasonable risk to the environment.

The next step in the process required by TSCA is to address the unreasonable risk identified in the final risk evaluation. EPA is moving immediately to risk management for chrysotile asbestos and will work as quickly as possible to propose and finalize actions to protect against unreasonable risk. Potential actions EPA could take include regulation of how this chemical is used, limiting or prohibiting the manufacture, processing, distribution in the marketplace, use, or disposal of chrysotile asbestos, as applicable.

As a result of the November 2019 decision of the U.S. Court of Appeals for the Ninth Circuit in *Safer Chemicals Healthy Families v. EPA*, the agency will evaluate legacy asbestos uses and associated disposals of asbestos in a supplemental effort that will be the focus of part 2 of the risk evaluation for asbestos. Legacy

uses and associated disposals of asbestos are conditions of use for which manufacture (including import), processing and distribution in commerce no longer occur, but where use and disposal are still known, intended, or reasonably foreseen to occur (e.g., in older buildings).

EPA has started planning for part 2 of the risk evaluation for asbestos and will engage stakeholders as part of and following development of the draft scope document to identify any additional reasonably available information that is relevant to part 2. The draft scope document will be made available for public comment mid-year 2021. The draft scope document will be followed with a final scope document, a draft risk evaluation document for peer review and public comment, and then a final part 2 risk evaluation for asbestos. This risk evaluation will consider chrysotile and the other five fiber types of asbestos described in the TSCA Title II definition: crocidolite (riebeckite), amosite (cummingtonite-grunerite), anthophyllite, tremolite or actinolite. [View the final risk evaluation for asbestos, part 1: chrysotile asbestos and supporting documents.](#)

Background- Although there are several known types of asbestos, the only form of asbestos known to be imported, processed, or distributed for use in the United States is chrysotile. Raw chrysotile asbestos is used exclusively by the chlor-alkali industry. Certain products like sheet gaskets, brake blocks, and aftermarket automotive brakes/linings also contain chrysotile asbestos. EPA has taken action to protect public health from certain uses of asbestos. Several uses of asbestos were banned in 1989 and remain banned. Additionally, in April 2019, EPA issued a [final rule to ensure that asbestos products that are no longer on the market cannot return to commerce](#) without the agency evaluating them and putting in place any necessary restrictions or prohibiting use. [Learn more about EPA actions to protect the public from exposure to asbestos.](#)

Sara Johnson NH Small Business Environmental Assistance Program 12/24/2020

2) On December 17, 2020, a **correction notice for the final rule Reclassification of Major Sources as Area Sources (MM2A) was signed**. This action corrects inadvertent typographical errors and redundant text in the Federal Register and does not affect the requirements of the final rule. A pre-publication version of the Correction Notice is available [here](#).

3) **Federal Register Notice** -November 25, 2020, Correction, NESHAP: Miscellaneous Coating Manufacturing Residual Risk and Technology Review, [75235](#).

Nancy Larson KS Small Business Environmental Assistance Program 12/22/2020

EPA Releases Interim Guidance on Destroying and Disposing of Certain PFAS and PFAS-Containing Materials

WASHINGTON (December 18, 2020) - Today, as part of the U.S. Environmental Protection Agency's (EPA) aggressive efforts under the PFAS Action Plan, the agency is releasing [new interim guidance](#) on destroying and disposing of certain PFAS and PFAS-containing materials for public comment. Specifically, the new interim guidance outlines the current state of the science on techniques and treatments that may be used to destroy or dispose of PFAS and PFAS-containing materials from non-consumer products, including aqueous film-forming foam for firefighting.

“With this interim guidance, EPA is providing important scientific information on available technologies that can assist with the destruction and disposal of PFAS,” **said EPA Administrator Andrew Wheeler**. “This action is a critical part of our efforts to increase the understanding of PFAS and support our federal, state, tribal and local partners as we address these emerging chemicals of concern.”

In the limited time provided under the National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA), the interim guidance assembles and consolidates information in a single document that generally describes thermal treatment, landfill and underground injection technologies that may be effective in the destruction or disposal of PFAS and PFAS-containing materials. To help ensure informed decision-making, the technology-specific information describes uncertainties and how those uncertainties should be weighed given situation-specific factors, such as the waste's physical phase (liquid, solid, gas).

EPA's ongoing research and development is leveraging in-house expertise and external partnerships to help address the knowledge gaps identified in the draft interim guidance. Additionally, there are many current

research efforts being coordinated across the federal government to help address PFAS destruction. EPA will incorporate this increased knowledge into future versions of this guidance to help decision-makers choose the most appropriate PFAS disposal options for their particular circumstances.

As required by the FY20 NDAA, the interim guidance addresses PFAS and PFAS-containing materials including:

1. Aqueous film-forming foam (for firefighting).
2. Soil and biosolids.
3. Textiles, other than consumer goods, treated with PFAS.
4. Spent filters, membranes, resins, granular carbon, and other waste from water treatment.
5. Landfill leachate containing PFAS.
6. Solid, liquid, or gas waste streams containing PFAS from facilities manufacturing or using PFAS.

The interim guidance is not intended to address destruction and disposal of PFAS-containing consumer products, such as non-stick cookware and water-resistant clothing.

The agency is also providing guidance on testing and monitoring air, effluent, and soil for releases near potential destruction or disposal sites. EPA's interim guidance captures the significant information gaps associated with PFAS testing and monitoring and identifies specific research needs to address the FY20 NDAA requirements.

EPA will accept comments on the Interim Guidance for 60 days following publication in the Federal Register. For more information, please see www.epa.gov/pfas. EPA will then consider and incorporate comments, as appropriate, into a revised document. EPA will also review and revise the interim guidance, as appropriate, or at least once every 3 years.

Background

PFAS are a group of synthetic chemicals that have been in use since the 1940s. PFAS are found in a wide array of consumer and industrial products. PFAS manufacturing and processing facilities, facilities using PFAS in production of other products, airports, and military installations are some of the contributors of PFAS releases into the air, soil, and water. Due to their strong carbon-fluorine bonds, many PFAS can be difficult to break down and very persistent in the environment with degradation periods of years, decades, or longer under natural conditions. Many PFAS are chemically and thermally stable and demonstrate resistance to heat, water, and oil.

As part of EPA's aggressive efforts to address these risks, the agency issued the PFAS Action Plan in February 2019. The Action Plan is the agency's first multi-media, multi-program, national research, management, and risk communication plan to address a challenge like PFAS. EPA continues to make progress under the plan to protect the environment and human health, including:

Highlighted Action: Drinking Water

- In December 2019, EPA accomplished a key milestone in the PFAS Action Plan by publishing a new validated method to accurately test for 11 additional PFAS in drinking water. Method 533 complements EPA Method 537.1, and the agency can now measure 29 chemicals.
- In February 2020, EPA took an important step in implementing the agency's PFAS Action Plan by proposing to regulate PFOA and PFOS drinking water.
- EPA also asked for information and data on other PFAS substances, as well as sought comment on potential monitoring requirements and regulatory approaches.
- In November 2020, EPA issued a memo detailing an interim National Pollutant Discharge Elimination (NPDES) permitting strategy for PFAS. The agency also released information on progress in developing new analytical methods to test for PFAS compounds in wastewater and other environmental media.

Highlighted Action: Cleanup

- In December 2019, EPA issued [*Interim Recommendations for Addressing Groundwater Contaminated with PFOA and PFOS*](#), which provides guidance for federal cleanup programs (e.g., CERCLA and RCRA) that will also be helpful to states and tribes.
 - The recommendations provide a starting point for making site-specific cleanup decisions and will help protect drinking water resources in communities across the country.

- In December 2020, EPA issued Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS for public input.
- EPA is working on the proposed rule to designate PFOA and PFOS as hazardous substances under CERCLA. In the absence of the rule, EPA has used its existing authorities to compel cleanups.

Highlighted Action: Monitoring

- In July 2020, EPA transmitted the Unregulated Contaminant Monitoring Rule 5 (UCMR 5) proposal to the Office of Management and Budget (OMB) for interagency review. EPA anticipates proposing nationwide drinking water monitoring for PFAS that uses new methods that can detect PFAS at lower concentrations than previously possible.

Highlighted Action: Toxics

- In September 2019, EPA issued an advanced notice of proposed rulemaking that would allow the public to provide input on adding PFAS to the Toxics Release Inventory toxic chemical list.
- In June 2020, EPA issued a [final regulation](#) that added a list of 172 PFAS chemicals to Toxics Release Inventory reporting as required by the National Defense Authorization Act for Fiscal Year 2020.
- In July 2020, EPA issued a [final regulation](#) that can stop products containing PFAS from entering or reentering the marketplace without EPA's explicit permission.
 - In December 2020, EPA asked for public input on new draft guidance that outlines which imported articles are covered by the agency's July 2020 final rule that prohibits companies from manufacturing, importing, processing, or using certain long-chain PFAS without prior EPA review and approval.

Highlighted Action: Scientific Leadership

- EPA continues to compile and assess human and ecological toxicity information on PFAS to support risk management decisions.
- EPA continues to develop new methods to test for additional PFAS in drinking water.
- The agency is also validating analytical methods for surface water, groundwater, wastewater, soils, sediments and biosolids; developing new methods to test for PFAS in air and emissions; and improving laboratory methods to discover unknown PFAS.
- EPA is developing exposure models to understand how PFAS moves through the environment to impact people and ecosystems.
- EPA is working to develop tools to assist officials with the cleanup of contaminated sites.
- In July 2020, EPA added new treatment information for removing PFAS from drinking water.

Highlighted Action: Technical Assistance

- Just as important as the progress on PFAS at the federal level are EPA efforts to form partnerships with states, tribes, and local communities across the country.
- EPA has provided [assistance](#) to more than 30 states to help address PFAS, and the agency is continuing to build on this support.
- These joint projects allow EPA to take the knowledge of its world-class scientists and apply it in a collaborative fashion where it counts most.

Highlighted Action: Enforcement

- EPA continues to use enforcement tools, when appropriate, to address PFAS exposure in the environment and assist states in enforcement activities.
- EPA has already taken actions to address PFAS, including issuing Safe Drinking Water Act orders and providing support to states. [See examples in the PFAS Action Plan.](#)
- To date, across the nation, EPA has addressed PFAS in 15 cases using a variety of enforcement tools under SDWA, TSCA, RCRA, and CERCLA (where appropriate), and will continue to do so to protect public health and the environment.

Highlighted Action: Grants and Funding

- Under this Administration, EPA's Office of Research and Development has awarded over \$15 million through dozens of grants for PFAS research.

- In May 2019, EPA awarded approximately \$3.9 million through two grants for research that will improve the agency's understanding of human and ecological exposure to PFAS in the environment. This research will also promote a greater awareness of how to restore water quality in PFAS-impacted communities.
- In September 2019, EPA awarded nearly \$6 million to fund research by eight organizations to expand the agency's understanding of the environmental risks posed by PFAS in waste streams and to identify practical approaches to manage potential impacts as PFAS enters the environment.
- In August 2020, EPA awarded \$4.8 million in funding for federal research to help identify potential impacts of PFAS to farms, ranches, and rural communities.

Highlighted Action: Risk Communications

- EPA is working collaboratively to develop a risk communication toolbox that includes multimedia materials and messaging for federal, state, tribal, and local partners to use with the public.

Additional information about PFAS can be found at: www.epa.gov/pfas

Nancy Larson KS Small Business Environmental Assistance Program 12/22/2020

*****SBA Environmental Roundtable Meeting*****

FRIDAY, January 8, 10 a.m. – 12:30 p.m.

Via Microsoft Teams Meeting

The next U.S. Small Business Administration Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics beginning at 10 a.m. on Friday, January 8, 2021. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:20 AM **Introductions and Update on Chemicals Designated as High Priority under TSCA**
Tabby Zeb, SBA Office of Advocacy

10:20 AM – 11:20 AM **EPA's Final Risk Evaluation for Perchloroethylene**
Tyler Lloyd, Office of Pollution Prevention and Toxics, EPA

11:20 AM – 12:30 PM **ORD Staff Handbook for Developing Integrated Risk Information System (IRIS) Assessments**
Andrew Kraft, Office of Research and Development, EPA

Small Business Perspectives on the IRIS Handbook

Kevin Bromberg, Bromberg Regulatory Strategy LLC

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable December 18, 2020

Issues for Discussion

EPA's Final Risk Evaluations for Perchloroethylene (PCE)

EPA recently published its final risk evaluation for the sixth of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). EPA completed the final risk evaluation for perchloroethylene in December 2020. Perchloroethylene is a colorless liquid used primarily in industrial settings in the production of fluorinated compounds and as a solvent in dry cleaning. This chemical is also used commercially in lubricants, adhesives, and sealants. Perchloroethylene has a limited number of consumer uses in products like adhesives for arts and crafts and stainless-steel polish. After evaluating 61 conditions of use, EPA has determined that perchloroethylene presents an unreasonable risk under 59 conditions of use, including all consumer uses and all but two occupational uses. A final determination that

a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options.

The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of this final risk evaluation, with time for discussion and questions.

ORD Staff Handbook for Developing IRIS Assessments

The “ORD Staff Handbook for Developing Integrated Risk Information System (IRIS) Assessments,” or “IRIS Handbook,” provides operating procedures for developing assessments to the scientists in the IRIS Program, including operating procedures for developing assessments including problem formulation approaches and methods for conducting systematic review, dose response analysis, and developing toxicity values. IRIS chemical assessments are an important source providing toxicity information used by EPA and other agencies, including federal, state, and local, to characterize potential public health risk. On November 30, 2020, EPA announced a 90-day public comment period for its latest iteration of the IRIS Handbook, which addresses recommendations and input from the National Academy of Sciences, Engineering, and Medicine (NASEM); EPA Agency reviewers; other Federal Agencies; EPA’s Science Advisory Board; and workshops involving input from experts in systematic review. The steps in the overall IRIS process have not changed. The comment period ends on March 1, 2021.

Kevin Bromberg

Kevin Bromberg, Principal of Bromberg Regulatory Strategy LLC, retired from the Office of Advocacy in January 2020 after 40 years of government service working on environmental regulatory issues. He continues to represent small businesses, including the Small Business Low Risk Coalition, which seeks regulatory relief from the requirements of the current draft general stormwater industrial permit. Until he retired, Mr. Bromberg was the Advocacy representative on the federal interagency IRIS task group beginning in 2012, where he made multiple recommendations on EPA IRIS risk assessments and procedures.

Nancy Larson KS Small Business Environmental Assistance Program 12/15/2020

EPA Releases Final Chemical Risk Evaluation for Perchloroethylene

Today, the U.S. Environmental Protection Agency (EPA) released the final risk evaluation for perchloroethylene. Under the Toxic Substances Control Act (TSCA), EPA is required to evaluate the risks associated with exposure to existing chemicals in commerce using the best available science, and then take action to address any unreasonable risks identified. Today’s final risk findings complete the risk evaluation process required by TSCA for perchloroethylene.

EPA used feedback received from the public comment and the scientific peer review process carried out by the Science Advisory Committee on Chemicals to inform the final risk evaluation. The final risk evaluation for perchloroethylene determined that there are unreasonable risks to **workers, occupational non-users, consumers, and bystanders from 59 out of 61 conditions of uses**. EPA found no unreasonable risks to the environment.

The next step in the process required by TSCA is developing a plan to address the unreasonable risks identified in the final risk evaluation. EPA is moving immediately to risk management for this chemical and will work as quickly as possible to propose and finalize actions to protect against the unreasonable risks.

Potential actions EPA could take to address these risks include regulating how the chemical is used, or limiting or prohibiting the manufacture, processing, distribution in the marketplace, use, or disposal of this chemical, as applicable. As with any chemical product, EPA strongly recommends that users of products

containing perchloroethylene continue to carefully follow all instructions on the product's label and safety data sheet.

View the [perchloroethylene final risk evaluation and supporting documents](#).

Background

Perchloroethylene is a colorless liquid used primarily in industrial settings in the production of fluorinated compounds and as a solvent in dry cleaning. This chemical is also used commercially in lubricants, adhesives, and sealants. Perchloroethylene has a limited number of consumer uses in products like adhesives for arts and crafts and stainless steel polish. Learn more about the risk evaluation process required by TSCA [here](#).

Nancy Larson KS Small Business Environmental Assistance Program 12/11/2020

EPA Seeks Public Input on Draft Guidance for PFAS Significant New Use Rule

Aggressively addressing per- and polyfluoroalkyl substances (PFAS) in the environment continues to be an active and ongoing priority for the U.S. Environmental Protection Agency (EPA). As part of these efforts, today, EPA is asking for public input on new draft guidance that outlines which imported articles are covered by the agency's [July 2020 final rule](#) that prohibits companies from manufacturing, importing, processing, or using certain long-chain PFAS without prior EPA review and approval. More specifically, this guidance provides additional clarity for stakeholders that are importers of articles that may contain long-chain PFAS as part of a surface coating. The draft guidance:

- Provides additional clarity on what is meant by a "surface coating."
- Identifies which entities are regulated.
- Describes the activities that are required or prohibited.
- Summarizes the notification requirements of the final rule.

Upon publication of the Federal Register notice, EPA will accept comments on the guidance for 30 days in docket EPA-HQ-OPPT-2020-0621 on www.regulations.gov. EPA will use feedback received from the public comment process to inform the final guidance.

The July 2020 final rule is part of EPA's [PFAS Action Plan](#) issued in February 2019. The cross-agency plan is the most comprehensive effort ever to address an emerging chemical of concern. Through the plan, EPA has made significant progress to help states and local communities address PFAS and protect public health. [Find a link to the draft guidance and learn more about the PFAS final rule.](#)

Background on Draft Guidance

In July 2020, EPA issued a final rule strengthening the regulation of PFAS by requiring notice and EPA review before the use of long-chain PFAS that have been phased out in the United States could begin again. Additionally, products containing certain long-chain PFAS as a surface coating and carpet containing perfluoroalkyl sulfonate chemical substances can no longer be imported into the United States without EPA review. This action means that articles like textiles, carpet, furniture, electronics, and household appliances that could contain certain PFAS chemicals cannot be imported into the United States unless EPA reviews and approves the use or puts in place the necessary restrictions to address any unreasonable risks.

Find more information on the final rule [here](#).

Background on PFAS Action Plan

EPA continues to [make progress under its PFAS Action Plan](#) to protect the environment and human health, including:

Highlighted Action: Drinking Water

- In December 2019, EPA accomplished a key milestone in the PFAS Action Plan by publishing a new validated method to accurately test for 11 additional PFAS in drinking water. Method 533 complements EPA Method 537.1, and the agency can now measure 29 chemicals.
- In February 2020, EPA took an important step in implementing the agency's PFAS Action Plan by proposing to regulate PFOA and PFOS drinking water.
- EPA also asked for information and data on other PFAS substances, as well as sought comment on potential monitoring requirements and regulatory approaches.

- In November 2020, EPA issued a memo detailing an interim National Pollutant Discharge Elimination (NPDES) permitting strategy for PFAS. The agency also released information on progress in developing new analytical methods to test for PFAS compounds in wastewater and other environmental media.

Highlighted Action: Cleanup

- In December 2019, EPA issued [*Interim Recommendations for Addressing Groundwater Contaminated with PFOA and PFOS*](#), which provides guidance for federal cleanup programs (e.g., CERCLA and RCRA) that will also be helpful to states and tribes.
 - The recommendations provide a starting point for making site-specific cleanup decisions and will help protect drinking water resources in communities across the country.
- In July 2020, EPA submitted the Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS to OMB for interagency review. The guidance would:
 - Provide information on technologies that may be feasible and appropriate for the destruction or disposal of PFAS and PFAS-containing materials.
 - Identify ongoing research and development activities related to destruction and disposal technologies, which may inform future guidance.
- EPA is working on the proposed rule to designate PFOA and PFOS as hazardous substances under CERCLA. In the absence of the rule, EPA has used its existing authorities to compel cleanups.

Highlighted Action: Monitoring

- In July 2020, EPA transmitted the Unregulated Contaminant Monitoring Rule 5 (UCMR 5) proposal to the Office of Management and Budget (OMB) for interagency review. EPA anticipates proposing nationwide drinking water monitoring for PFAS that uses new methods that can detect PFAS at lower concentrations than previously possible.

Highlighted Action: Toxics

- In September 2019, EPA issued an advanced notice of proposed rulemaking that would allow the public to provide input on adding PFAS to the Toxics Release Inventory toxic chemical list.
- In June 2020, EPA issued a [final regulation](#) that added a list of 172 PFAS chemicals to Toxics Release Inventory reporting as required by the National Defense Authorization Act for Fiscal Year 2020.
- In July 2020, EPA issued a [final regulation](#) that can stop products containing PFAS from entering or reentering the marketplace without EPA's explicit permission.

Highlighted Action: Scientific Leadership

- EPA continues to compile and assess human and ecological toxicity information on PFAS to support risk management decisions.
- EPA continues to develop new methods to test for additional PFAS in drinking water.
- The agency is also validating analytical methods for surface water, groundwater, wastewater, soils, sediments and biosolids; developing new methods to test for PFAS in air and emissions; and improving laboratory methods to discover unknown PFAS.
- EPA is developing exposure models to understand how PFAS moves through the environment to impact people and ecosystems.
- EPA is working to develop tools to assist officials with the cleanup of contaminated sites.
- In July 2020, EPA added new treatment information for removing PFAS from drinking water.

Highlighted Action: Technical Assistance

- Just as important as the progress on PFAS at the federal level are EPA efforts to form partnerships with states, tribes, and local communities across the country.
- EPA has provided [assistance](#) to more than 30 states to help address PFAS, and the agency is continuing to build on this support.
- These joint projects allow EPA to take the knowledge of its world-class scientists and apply it in a collaborative fashion where it counts most.

Highlighted Action: Enforcement

- EPA continues to use enforcement tools, when appropriate, to address PFAS exposure in the environment and assist states in enforcement activities.

- EPA has already taken actions to address PFAS, including issuing Safe Drinking Water Act orders and providing support to states. [See examples in the PFAS Action Plan.](#)
- To date, across the nation, EPA has addressed PFAS in 15 cases using a variety of enforcement tools under SDWA, TSCA, RCRA, and CERCLA (where appropriate), and will continue to do so to protect public health and the environment.

Highlighted Action: Grants and Funding

- Under this Administration, EPA's Office of Research and Development has awarded over \$15 million through dozens of grants for PFAS research.
- In May 2019, EPA awarded approximately \$3.9 million through two grants for research that will improve the agency's understanding of human and ecological exposure to PFAS in the environment. This research will also promote a greater awareness of how to restore water quality in PFAS-impacted communities.
- In September 2019, EPA awarded nearly \$6 million to fund research by eight organizations to expand the agency's understanding of the environmental risks posed by PFAS in waste streams and to identify practical approaches to manage potential impacts as PFAS enters the environment.
- In August 2020, EPA awarded \$4.8 million in funding for federal research to help identify potential impacts of PFAS to farms, ranches, and rural communities.

Highlighted Action: Risk Communications

- EPA is working collaboratively to develop a risk communication toolbox that includes multimedia materials and messaging for federal, state, tribal, and local partners to use with the public.

Additional information about PFAS can be found at: www.epa.gov/pfas

Paula Hoag EPA Office of Small Business Programs 12/9/2020

It is my great pleasure to share with our state small business partners the newly developed EPA Asbestos and Small Business Ombudsman (ASBO) Program Guide and outreach materials. We hope these new materials are of interest and helpful to you in better understanding the ASBO program and our services to support small business at EPA. Please do feel free to share them as you see fit. As EPA's new ASBO I am looking to reinvigorate this role with renewed outreach efforts. These new communication materials are the first step in that process.

Rhonda Wright US EPA 12/8/2020

Today, the United States Environmental Protection Agency (EPA) is providing public notice and soliciting comment on the alternative means of emission limitation (AMEL) request for the Standards of Performance for Volatile Organic Liquid Storage Vessels, 40 CFR part 60 subpart Kb, §60.112b, that would apply to a proposed new vinyl acetate bulk storage tank to be used at Rohm and Haas Chemicals LLC, a subsidiary of The Dow Chemical Company (Dow), a chemical plant in Kankakee, Illinois. Based upon review of the AMEL request, EPA believes that, by complying with the proposed AMEL specified, the storage tank will achieve emission reductions at least equivalent to the emissions reduction required by the applicable new source performance standards. We are seeking the public's input on Rohm and Haas's request that EPA approve the AMEL for this storage tank. Specifically, EPA seeks the public's input on the operating conditions specified in this notice and will accept comment for 45 days after publication in the *Federal Register*. You can read a pre-publication version of the notice and the fact sheet [here](#) for more information.

Nancy Larson KS Small Business Environmental Assistance Program 12/7/2020

SBA Environmental Roundtable Meeting

FRIDAY, December 18, 10 a.m. – noon.

Via Microsoft Teams Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, December 18, 2020. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:20 AM **Introductions and Update on Chemicals Designated as High Priority under TSCA** *Dave Rostker, SBA Office of Advocacy*

10:20 AM – 11:20 AM **EPA's Final Risk Evaluation for Trichloroethylene (TCE)**
Katie McNamara, Office of Pollution Prevention and Toxics, EPA

The Impact of the TCE Risk Evaluation on Small Business

Christopher Bevan, Director of Scientific Programs, HSIA

11:20 AM – 12:00 PM **EPA's Draft Scope of Risk Evaluations for DIDP and DINP**

Collin Beachum, Jennifer Brennan and John Allran, Office of Pollution Prevention and Toxics, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable December 18, 2020

Issues for Discussion

EPA's Final Risk Evaluations for Trichloroethylene (TCE)

EPA recently published its final risk evaluation for the fifth of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). EPA completed the final risk evaluation for trichloroethylene (TCE) in November 2020. After evaluating 54 conditions of use of TCE, EPA has determined that TCE presents an unreasonable risk under 52 conditions of use. This includes an unreasonable risk to workers and occupational nonusers (ONUs) when manufacturing the chemical; processing the chemical for a variety of uses; when used in a variety of industrial and commercial applications; and disposal. This also includes an unreasonable risk to consumers and bystanders from most consumer uses. TCE does not pose an unreasonable risk under distribution in commerce or in consumer use in pepper spray. EPA also determined that TCE does not present an unreasonable risk to the environment under all conditions of use. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options.

The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of this final risk evaluation, with time for discussion and questions.

Speaker Bio: Christopher Bevan

Christopher Bevan is the Director of Scientific Programs at the Halogenated Solvents Industry Alliance, Inc. (HSIA). He is a toxicologist with over 30 years of experience in risk assessment and product safety. In discussing EPA's final risk evaluation for methylene chloride, Dr. Bevan will cover education, warnings, training, data gaps, etc. and the lack of understanding of what small business needs to do. HSIA represents producers and users of methylene chloride. Many of HSIA's user members include small businesses. In the past, HSIA has participated in a small business advocacy review panel for methylene chloride to assist

small entity representatives in providing advice and recommendation to EPA on its potential regulation for the use of this chemical as a paint remover.

EPA's Draft Scope of the Risk Evaluations for DIDP and DINP

DIDP and DINP are common chemical names for categories of chemicals primarily used as plasticizers in plastic and rubber products. In 2019, manufacturers requested EPA conduct a risk evaluation for these chemicals. As a first step toward those risk evaluations, on November 27, 2020, EPA published a draft scope, which include the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations EPA expects the risk evaluations will cover. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options. Comments on these draft scopes are due on January 11, 2021.

Rhonda Wright US EPA 12/4/2020

EPA is withdrawing its direct final rule published on October 9, 2020, intended to codify in 40 CFR part 52 and confirm for the public and state air agencies that nine areas in four states attained the revoked 1997 ozone National Ambient Air Quality Standards (NAAQS) by their respective attainment dates. EPA will consider an adverse comment received on the parallel proposal published on the same day and will include a written response to the comment in a subsequent final rule. No comments are being taken on the withdrawal notice and there will be no second comment period on the October 2020 proposal or the subsequent final rule. Learn more [here](#).

Rhonda Wright US EPA 12/4/2020

EPA is withdrawing its direct final rule published on October 9, 2020, intended to codify in 40 CFR part 52 and confirm for the public and state air agencies that nine areas in four states attained the revoked 1997 ozone National Ambient Air Quality Standards (NAAQS) by their respective attainment dates. EPA will consider an adverse comment received on the parallel proposal published on the same day and will include a written response to the comment in a subsequent final rule. No comments are being taken on the withdrawal notice and there will be no second comment period on the October 2020 proposal or the subsequent final rule. Learn more [here](#).

R Rhonda Wright US EPA 12/9/2020

Now published...Implementation of the Revoked 1997 8-Hour Ozone National Ambient Air Quality Standards.

Updates for Areas That Attained by the Attainment Date; Withdrawal, 79129-79130

<https://www.govinfo.gov/content/pkg/FR-2020-12-09/html/2020-26960.htm>

<https://www.govinfo.gov/content/pkg/FR-2020-12-09/pdf/2020-26960.pdf>

Nancy Larson KS Small Business Environmental Assistance Program 11/23/2020

EPA Releases Final Chemical Risk Evaluation for TCE

Today, the U.S. Environmental Protection Agency (EPA) released the final risk evaluation for trichlorethylene (TCE). Under the Toxic Substances Control Act (TSCA), EPA is required to evaluate the risks associated with exposure to existing chemicals in commerce using the best available science then take action to address any unreasonable risks identified. Today's final risk findings complete the risk evaluation process required by TSCA for TCE. EPA used feedback received from the public and the scientific peer review process carried out by the Science Advisory Committee on Chemicals to inform the final risk evaluation. The final risk evaluation for TCE shows that there are unreasonable risks to workers, occupational non-users, consumers, and bystanders for 52 out of 54 conditions of use. Two conditions of use (distribution in commerce and consumer use in pepper spray) do not present an unreasonable risk. EPA also found no unreasonable risks to the environment.

The next step in the process required by TSCA is developing a plan to address the unreasonable risks found in the final risk evaluation. EPA is moving immediately to risk management for this chemical and will work to propose and finalize actions to protect workers, occupational non-users, consumers, and bystanders.

There is a range of potential actions EPA could take to address these risks, including regulation of how the chemical is used, limiting or prohibiting the manufacture, processing, distribution in the marketplace, use, or disposal of this chemical, as applicable. As with any chemical product, EPA strongly recommends that users of products containing TCE continue to carefully follow all instructions on the product's label and safety data sheet. View the TCE final risk evaluation and supporting documents [here](#).

Background

TCE is used as a solvent in industrial and commercial applications and as a reactant in the manufacturing of other chemical substances. Common commercial uses of TCE are as a solvent in vapor degreasing, dry cleaning, spot cleaners, stain removers, and adhesives and sealants. Consumer uses include adhesives, degreasers, and cleaners. Learn more about the risk evaluation process required by TSCA [here](#).

Paula Hoag EPA Office of Small Business Programs 11/23/2020

EPA made an important announcement last week during the America Recycles Summit. In case you missed it, EPA Administrator Andrew Wheeler [announced the National Recycling Goal](#) to increase the [recycling rate to 50% by 2030](#) with a draft National Recycling Strategy that identifies objectives and actions to unite the country and create a stronger, more resilient U.S. recycling system.

The draft National Recycling Strategy is open for public comment until December 4, 2020. For more information on the strategy and how to comment, visit [the Draft Recycling Strategy web page](#). You may also visit last week's Recycling Summit presentations and Innovation Fair exhibits until December 17th at: americarecycles.vfairs.com

Nancy Larson KS Small Business Environmental Assistance Program 11/20/2020

*****SBA Environmental Roundtable Meeting*****

FRIDAY, December 4, 10 a.m. – 11:20 a.m.

Via Microsoft Teams Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, December 4, 2020. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 10:20 AM **Introductions and Update on Chemicals Designated as High Priority under TSCA** *Dave Rostker, SBA Office of Advocacy*

10:20 AM – 11:20 AM **EPA's Final Risk Evaluation for Carbon Tetrachloride**

Claudia Menasche, Office of Pollution Prevention and Toxics, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts, and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable December 4, 2020

Issues for Discussion

EPA's Final Risk Evaluations for Carbon Tetrachloride

EPA recently published its final risk evaluation for the fourth of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). Carbon tetrachloride is used in commercial settings as a raw material for producing other chemicals like refrigerants, chlorinated compounds, and agricultural

products in accordance with the Clean Air Act and Montreal Protocol. Carbon tetrachloride is not currently used as a direct reactant or additive in the formulation of consumer products.

EPA completed the final risk evaluation for carbon tetrachloride in October 2020. The final risk evaluation shows that there are unreasonable risks to workers and occupational non-users for 13 of the 15 conditions of use EPA evaluated. This includes unreasonable risks when manufacturing the chemical; processing the chemical as a reactant or intermediate and into formulation of other products; laboratory uses; recycling; uses in a variety of industrial and commercial applications; and disposal. Unreasonable risks to workers and occupational non-users can come from long-term inhalation or dermal (through the skin) exposures. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options.

The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of this final risk evaluation, with time for discussion and questions.

Sara Johnson NH Small Business Environmental Assistance Program 11/19/2020

Federal Register Notices – 11/19/20, Final Rule Amendments, Reclassification of Major Sources under the Clean Air Act, [73854-73922](#). [This rule finalizes amendments to the General Provisions that apply to National Emission Standards for Hazardous Air Pollutants (NESHAP). These amendments implement the plain language reading of the “major source” and “area source” definitions of section 112 of the Clean Air Act (CAA) and **provide that a major source can be reclassified to area source status at any time** upon reducing its potential to emit (PTE) hazardous air pollutants (HAP) to below the major source thresholds (MST) of 10 tons per year (tpy) of any single HAP and 25 tpy of any combination of HAP. This rule also finalizes amendments to clarify the compliance dates, notification, and recordkeeping requirements that apply to sources choosing to reclassify to area source status and to sources that revert back to major source status, including a requirement for electronic notification. **This final rule is effective on January 19, 2021.**]

11/9/20, Proposed Rule, Reconsideration, NESHAP: Polyvinyl Chloride and Copolymers Production Reconsideration, [71490-71528](#). [On April 17, 2012, the U.S. Environmental Protection Agency (EPA) promulgated National Emission Standards for Hazardous Air Pollutants (NESHAP) for Polyvinyl Chloride and Copolymers (PVC) Production at major and area sources. Subsequently, the Administrator received and granted petitions for reconsideration of the emission limits in the 2012 final rules for process vents, process wastewater, and stripped resin for major and area sources. In response to the petitions and after gathering additional information from PVC companies, the EPA is proposing revisions to emission limits in the 2012 major source rule for process vents and process wastewater. Although the EPA is not proposing revisions to emission limits in the 2012 area source rule, the EPA is proposing other amendments that affect both rules, including technical corrections and clarifications related to the standards for stripped resin, storage vessels (including the use of vapor balancing), equipment leaks, and closed vent systems. The EPA is also proposing to clarify text and correct typographical errors, grammatical errors, and cross reference errors in both rules. In addition, the EPA is proposing to remove the affirmative defense provisions. We estimate that, if finalized, these proposed amendments would result in hazardous air pollutants (HAP) emissions reductions of 34 tons per year (tpy) with an annualized cost of \$0.39 million. Comments must be received on or before January 8, 2021.]

11/5/20, Final Rule Amendments, NESHAP: Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills; Standards of Performance for Kraft Pulp Mill Affected

Sources, [70487-70494](#). [EPA is finalizing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-alone Semichemical Pulp Mills, and the New Source Performance Standards (NSPS) for Kraft Pulp Mills constructed, reconstructed, or modified after May 23, 2013. The final rule clarifies how to set operating limits for smelt dissolving tank (SDT) scrubbers used at these mills and corrects cross-reference errors in both rules.]

11/3/20, Final Rule Amendments, NESHAP: Phosphoric Acid Manufacturing, [69508-69512](#).

[This action finalizes an amendment to the national emission standards for hazardous air pollutants (NESHAP) for the Phosphoric Acid Manufacturing source category. The final amendment is in response to a petition for rulemaking on the mercury emission limit for existing phosphate rock calciners that was finalized on August 19, 2015 (“2015 Rule”). That emission limit was based on the maximum achievable control technology (MACT) floor for existing sources. All six of the existing calciners used to set this MACT floor are located at the PCS Phosphate Company, Inc. (“PCS Phosphate”) facility in Aurora, North Carolina (“PCS Aurora”). PCS Phosphate asserted that data received since the rule’s promulgation indicate that the MACT floor did not accurately reflect the average emission limitation achieved by the units used to set the standard. Based on these new data, EPA is finalizing a revision of the mercury MACT floor for existing calciners.]

Kaitlin Urso CO Department of Public Health and Environment 11/17/2020

The [National Cannabis Industry Association's Environmental Sustainability Report](#) has been released.

□ *Environmental Impacts*

□ *Best Management Practices*

□ *Policies*

Necessary to position the cannabis industry as a leader in environmental sustainability and to help influence environmental policy that comes along with federal legalization.

Share far and wide with your networks as this is a great resource that Colorado contributed to!

Paula Hoag EPA Office of Small Business Programs 11/16/2020

EPA is looking for small businesses to serve on a panel to evaluate small business impacts on a rulemaking. Please see U.S. EPA Office of Chemical Safety and Pollution Prevention Weekly Digest Bulletin announcement below for more information.

EPA Seeks Small Business Input on Risk Management Rulemaking for HBCD

WASHINGTON (November 9, 2020) — The U.S. Environmental Protection Agency (EPA) is inviting small businesses, governments, and not-for-profits to participate as Small Entity Representatives (SERs) to provide advice and recommendations to a Small Business Advocacy Review (SBAR) Panel for the cyclic aliphatic bromide cluster (HBCD). The panel will focus on the agency’s development of a proposed rule to address unreasonable risks identified in EPA’s recently completed Toxic Substances Control Act (TSCA) risk evaluation for HBCD.

Under TSCA, EPA is required to evaluate the risks associated with exposure to existing chemicals in commerce using the best available science then take action to reduce or eliminate any unreasonable risks identified. The agency issued a [final risk evaluation](#) for HBCD in September 2020 showing unreasonable risks to the environment, workers, and occupational non-users under certain conditions of use. EPA is now moving to the risk management step in the TSCA process by working to draft regulations to protect public health and the environment from the unreasonable risks identified in the final risk evaluation.

The Regulatory Flexibility Act requires agencies to establish a SBAR Panel for rules that may have a significant economic impact on a substantial number of small entities. The SBAR Panel will include federal representatives from the Small Business Administration (SBA), the Office of Management and Budget (OMB), and EPA.

SERs will be selected by the SBAR Panel to provide comments on behalf of their company, community, or organization and advise the Panel on the potential impacts of the proposed rule on small entities. EPA is

seeking self-nominations directly from the small entities that may be subject to the rule's requirements. Other representatives, such as trade associations that exclusively or at least primarily represent potentially regulated small entities, may also serve as SERs.

SERs provide advice and recommendations to the Panel. The SERs participate in consultations with the SBAR Panel via telephone, webinar, or in person in one or two meetings and are given an opportunity to submit written comments to the Panel. Self-nominations may be submitted through the link below and must be received by November 23.

In addition to engaging with small businesses, EPA is executing a robust outreach effort on risk management that includes one-on-one meetings with stakeholders and formal consultations with state and local governments, tribes, and environmental justice communities. There will also be an open public comment period on any draft risk management regulation.

[Nominate yourself as a Small Entity Representative to the HBCD SBAR Panel.](#)

[Learn more about the Small Business Advocacy Review process.](#)

[Learn more about TSCA risk management and opportunities for stakeholder engagement.](#)

Toxics Release Inventory Search Tool Now Available in Spanish

EPA is making information on industrial chemical releases from the Toxics Release Inventory (TRI) available in Spanish. Spanish-speaking communities across the United States and in Puerto Rico can use EPA's new Spanish search tool to learn about industrial facilities in their communities—expanding their access to environmental information and making TRI data more easily accessible.

The tool provides mobile-friendly access to TRI data in Spanish and includes:

- Quick and easy navigation through search results sections.
- Maps, charts and graphs, user-friendly downloads, and printer-friendly summaries.
- Glossaries, tips, and pop-up help menus.
- Information on environmental releases, pollution prevention, compliance and enforcement, and more.
- These features are designed for all TRI data users and are ideal for first-time TRI data users and community-based data users.

You can also search the data in multiple ways:

- Use your current location or a specific street address or place name.
- Search by state/city/county, metro area, watershed or tribal land; or
- Find a specific TRI facility.

[Get started with our Spanish TRI search tool.](#)

Nueva herramienta de búsqueda en español sobre el Inventario de Emisiones Tóxicas

La EPA está proveyendo información en español sobre las emisiones químicas industriales del Inventario de Emisiones Tóxicas (TRI, por sus siglas en inglés). Las comunidades hispanohablantes en los Estados Unidos y Puerto Rico pueden usar la nueva herramienta de búsqueda de la EPA en español para informarse sobre las instalaciones industriales en sus comunidades—ampliando su acceso a la información ambiental y ofreciendo los datos del TRI de manera más asequible.

La herramienta provee acceso a datos del TRI en español mediante tecnología móvil e incluye:

- Navegación rápida y sencilla a través de las secciones de los resultados de búsqueda
- Mapas, tablas, gráficas fáciles de descargar por los usuarios y resúmenes fáciles de imprimir
- Glosarios, consejos y menú de ayuda emergentes.
- Información sobre las emisiones ambientales, la prevención de la contaminación, el acatamiento y el cumplimiento, y más.
- Estos elementos están diseñados para todos los usuarios de los datos del TRI y son ideales para los usuarios que utilizan los datos del TRI por primera vez, así como para los usuarios de datos en las comunidades.
- Usted también puede usar los datos de múltiples maneras:
- Use su ubicación actual o la dirección de su calle específica o el nombre de un lugar,
- Busque información sobre un estado/ciudad/condado, área metropolitana, terrenos tribales, o
- Encuentre información sobre una instalación específica del TRI.

[Comience a utilizar nuestra herramienta de búsqueda en español sobre el TRI.](#)

Sara Johnson NH Small Business Environmental Assistance Program 11/13/2020

This was a great video created by students at Holyoke College with a grant from MA TURI.

With the help of a TURI Community Grant, [Don't Take That Receipt!](#) of Holyoke developed a video about reducing the use of thermal papers that contain BPA or BPS. The video highlights all of the uses of these receipts, such as fast-food order tickets, prescription bottle and mailing labels, and movie, bus, train and plane tickets.

Tony Pendola NC Small Business Environmental Assistance Program 11/6/2020

U.S. EPA Launches New Learning Management System

This week, U.S. EPA launched a new Learning Management System (LMS) to deliver technical training to air pollution professionals in state, local government, and tribal air agencies. The new LMS is a key part of EPA's larger plan to modernize the training that the Agency and partners deliver to air quality professionals at all stages of their careers. Additional information from U.S. EPA is available [here](#) and below:

EPA's National Air Quality Training Program, in collaboration with the multi-jurisdictional organizations (MJOs) and other partners, is launching an updated APTI-Learn platform to better deliver air quality training and modernize the user experience. The updated platform provides significantly improved performance and functionality for state, local government, and tribal air pollution professionals. For now, the public will continue to access the training materials through the current platform as EPA builds a new portal for that audience.

The new LMS is organized around eight new air quality curricula (Functional Areas):

- Air Pollution Basics
 - Air Quality Modeling
 - Air Quality Planning
 - Air Toxics Rule Development and Implementation
 - Ambient Air Monitoring
 - Emissions Inventories
 - Permitting
 - Source Emissions Testing and Source Emissions Monitoring

The curricula can be used as default learning plans, or learners have flexibility to design their own learning plans, drawing from materials across multiple curricula. The course materials are modularized such that learners can choose specific modules that relate to their work and professional goals, or they can access an entire course or a set of courses as part of their learning plan. All state, local government and tribal learners need to register to access the system. Click [here](#) to register. Step by step registration instructions are in the flier attached to this email. Questions about the new LMS may be addressed to apti@epa.gov.

Rhonda Wright US EPA 11/5/2020

Here's another opportunity to listen to a presentation on Storage Vessels. Please see the below information on how you can register for the upcoming meeting.

U.S. EPA's OFFICE OF AIR QUALITY PLANNING AND STANDARDS (OAQPS) WEBINAR

What's Coming Next? What you Need to Know?

You are invited to participate in OAQPS' webinar on the Proposed Amendments to the 1987 Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels). During this webinar we will provide a brief high-level overview of this proposed rule and address what this proposal may mean for you, what you can expect next, and help answer any questions you may have. This will be an interactive discussion, so please feel free to ask your questions and share your thoughts. **REGISTRATION IS REQUIRED.** See below for details and how to register.

Date: Tuesday, November 10, 2020

Time: 2:30 PM – 3:30 PM (EDT)

Audience: Federally Recognized Tribes, Environmental Justice Communities, Small Businesses

How to Participate: Registration is required for this event. To register, please provide your full name, organization, phone number (the one you will use to call into the webinar), and email address to Toni Colón by email at colon.toni@epa.gov. After registering, you will receive a confirmation email containing information on how to join the webinar. We will be using Microsoft Teams for this event. You will have the option of joining by either a computer link or by telephone (not both). If you have any questions, please contact Toni Colón at 919-541-0069 or via email. **Please register by COB, Monday, November 9, 2020.** We look forward to your participation and encourage you to share this invitation with others in your community who may be interested.

AGENDA

STORAGE VESSEL [PROPOSAL]

Stephen (Neil) Feinberg, *Rule Lead*

On October 7, 2020, the U.S. Environmental Protection Agency (EPA) proposed amendments to the 1987 Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (NSPS Kb). This proposal would allow owners or operators of storage vessels, subject to the 1987 NSPS and equipped with either an external floating roof (EFR) or internal floating roof (IFR), to elect to comply with the requirements specified in the 1999 NESHAP in lieu of the 1987 standards subject to certain caveats and exceptions for monitoring, recordkeeping, and reporting. This action provides owners or operators with the flexibility to choose the appropriate standard. This proposal does not change the underlying compliance dates under the 1987 NSPS. For more information on Storage Vessel:

- [Fact Sheet](#)
- A pre-publication version of the proposed amendments and other resources are available [here](#).

R Rhonda Wright US EPA 2/9/2021

I just wanted to follow up with you regarding the Storage Vessel webinars we provided on November 4th and 10th of last year. We are in the process of preparing briefings for our new senior level management. We want to make sure we capture any insight/concerns you may have on storage vessels that could impact small businesses. If there is anything you would like for us to consider after participating in those webinars, please notify me by **COB tomorrow, Thursday, February 10th**. I apologize for the quick turnaround, but a briefing could be scheduled as early as tomorrow. To refresh your memory, I'm providing a copy of the presentation used during those webinars.

R Donovan Grimwood TN Small Business Environmental Assistance Program 2/10/2021

Looking through the presentation again, I'm not seeing any issues I can think of in relation to small businesses. Because the rule changes are allowing more alternative and in-service testing which seems to be the way that many businesses requested, I think the changes would benefit small businesses. The changes would make it easier for them to be in compliance and do proper testing. Also, as it doesn't apply to gas stations or bulk gasoline storage or tanks less than about 20,000 gallons, I think there would be less impact. I think the largest impact would be to business with storage greater than 20,000 gallons and that do not use a floating roof as 40 CFR 63 WW seems to pertain only to floating roofs. But then they may have a lower vapor pressure material and not be subject either.

Anyway, just some thoughts on this. Anyone else have better information on this or have worked with businesses that might be impacted?

R Tony Pendola NC Small Business Environmental Assistance Program 11/2/2020

The [EPA R4 presentation](#) had a lot of great information that was not region specific.

Rhonda Wright US EPA 10/30/2020

We wanted to let you know of an action that was signed yesterday and that OAQPS has posted to the web this afternoon.

EPA is finding that California, Connecticut, New York, Pennsylvania, and Texas failed to meet the Clean Air Act deadline to submit complete State Implementation Plan (SIP) revisions that satisfy the Oil and Natural Gas Industry Control Techniques Guidelines (CTG) reasonably available control technology requirement for the 2008 ozone National Ambient Air Quality Standard (NAAQS). The required SIP revisions were due on October 27, 2018 and apply to certain nonattainment areas and the states in the ozone transport Region (OTR).

Once this action becomes effective, two sanctions clocks will start. These clocks and/or sanctions will be stopped once the state makes a complete SIP submission for the CTG.

1. Eighteen months after the effective date of this finding, a 2 to 1 offset ratio for the nonattainment New Source Review (NSR) permitting program will go into effect, such that for every one unit of VOC or NOx emissions a new or modified source would contribute to the area, two units would have to be reduced before a pre-construction permit would be granted for the source.

2. Six months after the date of offset sanctions, highway funding may be withheld in nonattainment areas. For the OTR states, such highway sanctions would only apply in nonattainment areas in the state. If the OTR state does not contain any nonattainment areas, then the highway sanctions would not apply in that state.

EPA is committed to working with California, Connecticut, New York, Pennsylvania, and Texas to expedite the development and submission of their state plan revisions and to ensure continued progress toward cleaner air. A pre-publication version of the rule and a summary fact sheet are available [here](#). Please share with our interested stakeholders.

Rhonda Wright US EPA 10/29/2020

Today, the Administrator finalized amendments to the 2015 National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Phosphoric Acid Manufacturing. On September 6, 2016, PCS Phosphate Company, Inc. (now a subsidiary of Nutrien Ltd.) petitioned EPA to review the 2015 NESHAP based on newly available data. Following analysis of the petitioner's data, EPA is finalizing revisions to the mercury standard for calciners in the Phosphoric Acid Manufacturing NESHAP. The amendment revises the mercury maximum achievable control technology floor for existing calciners from 0.14 milligrams per dry standard cubic meter (mg/dscm) at 3-percent oxygen to 0.23 mg/dscm at 3-percent oxygen. This revision more accurately represents the current baseline emissions from the PCS Phosphate facility; therefore, we do not anticipate a change in actual mercury emissions as a result of this action. The amendment fulfills EPA's statutory requirements under the Clean Air Act, while maintaining the intent of the emission and operational standards of the 2015 NESHAP. You can read the [press release](#) for this action or visit this [EPA page](#) for more information.

Rhonda Wright US EPA 10/23/2020

U.S. EPA's OFFICE OF AIR QUALITY PLANNING AND STANDARDS (OAQPS) ROUNDTABLE via MICROSOFT TEAMS MEETING- *WHAT'S COMING NEXT? WHAT YOU NEED TO KNOW?*

You are invited to participate in OAQPS' next roundtable to discuss two regulatory actions. One action is a proposed rule for which we will provide a brief high-level overview. The second action is a final rule that we will address the following: what this rule means for you, what you can expect next, and help answer any questions you may have. This will be an interactive discussion, so please feel free to ask your questions and share your thoughts. **REGISTRATION IS REQUIRED.** See below for details and how to register.

Date: Wednesday, November 4, 2020

Time: 12:00 PM – 1:00 PM (EDT)

Audience: Small Businesses

How to Participate: Registration is required for this event. To register, please provide your full name, organization, phone number (the one you will use to call into the call), and email address to Rhonda Wright

by email at wright.rhonda@epa.gov. After registering, you will receive a confirmation email containing information on how to join the webinar. We will be using Microsoft Teams for this event. You will have the option of joining by either a computer link or by telephone (not both). **Please register by COB, Tuesday, November 3, 2020.**

We look forward to your participation and encourage you to share this invitation with others in the Small Business community who may be interested.

AGENDA

12:00 PM - 12:15 PM: STORAGE VESSEL [PROPOSAL] Stephen (Neil) Feinberg, *Rule Lead*
On October 7, 2020, the U.S. Environmental Protection Agency (EPA) proposed amendments to the 1987 Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (NSPS Kb). This proposal would allow owners or operators of storage vessels, subject to the 1987 NSPS and equipped with either an external floating roof (EFR) or internal floating roof (IFR), to elect to comply with the requirements specified in the 1999 NESHAP in lieu of the 1987 standards subject to certain caveats and exceptions for monitoring, recordkeeping, and reporting. This action provides owners or operators with the flexibility to choose the appropriate standard. This proposal does not change the underlying compliance dates under the 1987 NSPS. For more information on Storage Vessel:

- [Fact Sheet](#)
- A pre-publication version of the proposed amendments and other resources are available [here](#).

12:15 PM – 1:00 PM: Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (MM2A) [FINAL] Raymond (Rod) Truesdell, *Rule Lead*

On October 1, 2020, the U.S. Environmental Protection Agency (EPA) completed a final action that will allow a major source of hazardous air pollutants (HAP) to reclassify as an area source at any time after taking steps to limit emissions. A “major source” emits or has the potential to emit (PTE) 10 tons per year (tpy) or more of a single HAP or 25 tpy or more of a combination of HAP. • This final action amends the National Emission Standards for Hazardous Air Pollutants (NESHAP) General Provisions to provide sources that reduce emissions and PTE to below these major source thresholds (MST) of 10 and 25 tpy the flexibility to reclassify as an area source. This rule also finalizes amendments to clarify the compliance dates, notification, and recordkeeping requirements that apply to sources choosing to reclassify to area source status and to sources that revert to major source status, including a requirement for electronic notification. For more information on MM2A:

- [Fact Sheet](#)
- [Final Rule](#)
- All other supporting information are all available [here](#).

Rhonda Wright US EPA 10/23/2020

Yesterday, the Administrator signed a final rule to clarify the process for evaluating whether the New Source Review permitting program would apply to a proposed modification of a source of air emissions. This final rule clarifies that both emissions increase and decreases from a major modification are to be considered during Step 1 of the two-step NSR applicability test. This process is known as project emissions accounting. A pre-publication version of the rule and a summary fact sheet are available [here](#).

Rhonda Wright US EPA 10/22/2020

As you’re aware, last month, Anna Wood and I presented on EPA’s regional air division director’s (ADD) call regarding OAQPS’ small business program. During that call we requested if the ADDs can appoint someone from their region to serve as their RASBL. I am pleased to announce that we currently have 9 RASBLs and we’re still working to receive all 10. Over the next few months, I will be meeting with the RASBLs as we work together to further fill out the draft strategic plan for the small business program. We will then share that plan with the SBEAPs for your input. As always, I will be working very closely with Paula Hoag, EPA’s Ombudsman, to achieve all goals of meeting the needs of small businesses and those

representing small businesses. Again, I am happy to introduce to you the RASBLs identified by each region:

Region	Name
1	Emily Bolger
2	Fausto Taveras
3	Hana Jones
4	Eva Land
5	Alexis Cain
6	Clovis Steib
7	Keith Johnson
8	Daniel Fagnant
9	---
10	Davis Zhen

As always, I am here to help answer any questions you may have regarding this effort.

R Lloyd Kirk OK Department of Environmental Quality 10/22/2020

Will they be in touch with states in their Region? I suggest they do a zoom call to introduce themselves and strategic plan for respective Region.

R Rhonda Wright US EPA 10/23/2020

I plan to meet with the RASBLs within the next month and I'll make sure to express this.

In the meantime, I ask the SBEAPs to *please* give me an opportunity to meet with them first before you reach out to them. I want to bring them up to speed on everything and assess where they are and how familiar they are with the small business program (Section 507). I know this may seem like it's taking a while, but please know I have everyone's interest at heart, and I will keep you informed.

I was hoping to make this announcement on the NSC call after I received *all* names and have a dialogue with you about your thoughts and answer any questions. Some regions needed more time to appoint someone and that was understandable. Names were coming in all the way into last week and Region 9 is still working on naming someone. My management and R9's management are in communication. I'm hopeful we'll have someone from R9 soon.

Sara Johnson NH Small Business Environmental Assistance Program 10/20/2020

1) **Training** - EPA released a New Source Review (NSR) permitting course titled: ***Setting Enforceable Potential to Emit (PTE) Limits in New Source Review Permits (APTI SI-NSR201)***. This comprehensive course covers all aspects of setting these limits, including describing the PTE definition for NSR and explaining key EPA policies related to calculating PTE. The course can be found [here](#). After clicking on this link, click on the "Learn" tab. Then click on the "Permitting Functional Area" and you will see the course there. The course is best viewed through Microsoft Edge or Internet Explorer, Mozilla Firefox or Safari. See more information attached in the flyer about the NSR training series.

2) **Federal Register Notices** –

10/16/20, **Proposed Rule, NSPS for Volatile Organic Liquid Storage Vessels** Construction, Reconstruction, or Modification, [65774-65782](#). [EPA is proposing amendments to the Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. We are proposing specific amendments that would allow owners or operators of storage vessels subject to the Standards of Performance for Volatile Organic Liquid Storage Vessels and equipped with either an external floating roof (EFR) or internal floating roof (IFR) to voluntarily elect to comply with the requirements specified in the

National Emission Standards for Storage Vessels (Tanks)—Control Level 2 as an alternative standard, in lieu of the requirements specified in the Standards of Performance for Volatile Organic Liquid Storage Vessels, subject to certain caveats and exceptions for monitoring, recordkeeping, and reporting. Comments must be received on or before November 30, 2020.]

10/13/20, **Correction, NESHAP: Municipal Solid Waste Landfills** Residual Risk and Technology Review; Correction, [64398-64401](#). [EPA is correcting a final rule that appeared in the Federal Register on March 26, 2020. The EPA finalized the residual risk and technology review (RTR) conducted for the Municipal Solid Waste (MSW) Landfills source category regulated under national emission standards for hazardous air pollutants (NESHAP). This action corrects inadvertent errors in the cross referencing and formatting in the Federal Register; as well as clarifies two operational and reporting requirements in the March 26, 2020, final rule. This action also revises the heading of 40 CFR part 60, subpart WWW as described in the March 26, 2020, Federal Register document. The corrections and clarifications described in this action do not affect the substantive requirements of the regulations or the results of the RTR conducted for the MSW Landfills source category.]

10/7/20, **Final Rule Amendments, Test Methods and Performance Specifications for Air Emission Sources**, [63394-63422](#). [This action corrects and updates regulations for source testing of emissions. These revisions include corrections to inaccurate testing provisions, updates to outdated procedures, and approved alternative procedures that will provide flexibility to testers. These revisions will improve the quality of data and will not impose any new substantive requirements on source owners or operators.]

9/15/20, **Final Rule Amendments, NSPS: Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources** Reconsideration, [57398-57460](#). [This action finalizes amendments to the new source performance standards (NSPS) for the oil and natural gas sector. The Environmental Protection Agency (EPA) granted reconsideration on the fugitive emissions requirements, well site pneumatic pump standards, requirements for certification of closed vent systems (CVS) by a professional engineer (PE), and the provisions to apply for the use of an alternative means of emission limitation (AMEL). This final action includes amendments as a result of the EPA's reconsideration of the issues associated with the above mentioned four subject areas and other issues raised in the reconsideration petitions for the NSPS, as well as amendments to streamline the implementation of the rule. This action also includes technical corrections and additional clarifying language in the regulatory text and/or preamble where the EPA concludes further clarification is warranted.]

9/14/20, **Final Rule Amendments, NSPS Oil and Natural Gas Sector: [Emission Standards for New, Reconstructed, and Modified Sources Review](#)**. [This action finalizes amendments to the oil and natural gas new source performance standards (NSPS) promulgated in 2012 and 2016. These amendments remove sources in the transmission and storage segment from the source category, rescind the NSPS (including both the volatile organic compounds (VOC) and methane requirements) applicable to those sources, and separately rescinds the methane-specific requirements of the NSPS applicable to sources in the production and processing segments. Furthermore, the U.S. Environmental Protection Agency (EPA) adopts an interpretation of Clean Air Act (CAA) section 111 under which the EPA, as a predicate to promulgating NSPS for certain air pollutants, must determine that the pertinent pollutant causes or contributes significantly to dangerous air pollution.]

R Lynelle Ladd KS Small Business Environmental Assistance Program 10/20/2020

When I was employed directly for our state pollution control agency, I was able to sign up for and attend APTI course as well as CENSARA courses. I haven't checked recently, but are these courses only still open to employees of state pollution control agencies? I ask because as a K-State employee, CENSARA would not let me register for classes and I wonder if it is the same for APTI. I also cannot be part of the national CAAAG because we are not considered part of the "pollution control agency". I really wish someone would work to get that status changed for all SBEAPs.

R Tony Pendola NC Small Business Environmental Assistance Program 10/20/2020

That course is simply available as a self-instructional course. I might be able to help try to get us better access to the ones that require registration. Let's talk about it at the next NSC. I have some other potential partnerships brewing also.

R Donovan Grimwood TN Small Business Environmental Assistance Program 10/20/2020

Looking at the FAQ on the APTI:

APTI classroom courses are restricted to state and local environmental agency personnel. This is because they are supported with funds allocated for state and local environmental agency training. At times, the organization sponsoring the course may allow some non-government personnel to take courses if there is space available. You should request permission directly from the organization sponsoring the course. If permission is granted, a nominal attendance fee will usually be charged. However, there is no such restriction on self-instructional courses. You may take any of the self-instructional courses available on the APTI website.

So, self-instructional courses are open and free for all based on the FAQ. And some of the classroom ones appear to be potentially available to non-government. However, I do agree that we can bring this up at the NSC as an ask for SBEAPs as they are supposed to be supported via Title V fees and even if they are situated within an organization that is not necessarily the state environmental agency, they are state environmental programs.

Rhonda Wright US EPA 10/20/2020

On Friday, the Administrator signed proposed amendments to the 2012 National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production. Following the 2012 final rules, EPA received four reconsideration petitions from environmental groups and industry. This proposed action represents EPA's response to those petitions. The proposed action includes process vent subcategory definitions and process vent and wastewater emission limits revisions, an alternative standard after the resin stripper, pressure vessel leak requirement clarifications and vapor balancing. In addition, EPA is proposing clarifications including technical corrections and to remove regulatory affirmative defense provisions.

A pre-publication version of the notice and a summary fact sheet are available [here](#).

Nancy Larson KS Small Business Environmental Assistance Program 10/16/2020

In case you missed it, the pre-publication version of the final rule is posted [here](#).

Rhonda Wright US EPA 10/13/2020

On Friday, the Administrator signed a guidance memorandum outlining whether and when it may be permissible for a state to include certain types of provisions governing periods of startup, shutdown, and malfunction (SSM) in state implementation plans (SIPs) developed to assure attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). This updated guidance recognizes that SIPs contain numerous planning requirements that collectively protect the NAAQS. A SIP can adequately provide for attainment and maintenance of the NAAQS, even if the SIP allows exemptions to specific emission limits for SSM events. The guidance released today also acknowledges that affirmative defense provisions for malfunction periods may be acceptable because penalties for sudden and unavoidable malfunctions caused by circumstances beyond the control of the owner or operator may not be appropriate. The guidance is on the web [here](#).

Rhonda Wright US EPA 10/8/2020

Yesterday, the Administrator signed proposed amendments to the Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) (Subpart Kb). Since 2018, EPA has received a significant uptick in the number of owners or operators requesting alternatives to conducting out-of-service inspections of storage vessels subject to the 1987 NSPS. We are proposing to reduce the burden on industry by making "in-service" inspections of certain large storage vessels filled with liquids (particularly crude and petroleum products) more widely available under Clean Air Act regulations.

Inspections could take place without emptying and degassing the storage vessel- an inspection procedure that EPA already allows in other air regulations. A pre-publication version of the proposed amendments and a summary fact sheet are available [here](#).

Nancy Larson KS Small Business Environmental Assistance Program 10/6/2020

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, September 11, 2020. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to david.rostker@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 11:00 AM **EPA's Final Risk Evaluation for Cyclic Aliphatic Bromide Cluster (HBCD)** Sue Slotnick, *Office of Pollution Prevention and Toxics, EPA*

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable October 16, 2020

Issues for Discussion

EPA's Final Risk Evaluations for Cyclic Aliphatic Bromide Cluster (HBCD)

EPA recently published its final risk evaluation for the third of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). On June 24, 2020 EPA published a risk evaluation for [HBCD](#), finalizing determinations of unreasonable risk for 6 out of 12 evaluated conditions of uses. EPA found the import, processing, recycling, commercial use, consumer use, and disposal of HBCD present unreasonable risks to the environment and the use of HBCD in building and construction materials and exposure through demolition present an unreasonable risk to workers and occupational non-users. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options.

The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of this final risk evaluation, with time for discussion and questions.

Rhonda Wright US EPA 10/1/2020

Today, the Administrator signed a final rule that will allow a major source of hazardous air pollutants (HAP) to reclassify as an area source at any time after taking steps to limit emissions. This final action amends the National Emission Standards for Hazardous Air Pollutants (NESHAP) General Provisions to provide sources that reduce emissions and potential to emit to below the major source thresholds the flexibility to reclassify as an area source. This rule also finalizes amendments to clarify the compliance dates, notification, and recordkeeping requirements that apply to sources choosing to reclassify to area source status and to sources that revert to major source status, including a requirement for electronic notification.

A pre-publication version of the notice, summary fact sheet and supporting information are all available [here](#).

Rhonda Wright US EPA 9/25/2020

US EPA has recently released a new Regulation Navigation tool. These online, interactive software programs are designed to help owners and operators of selected air quality regulations determine their personalized requirements by answering successive questions about their facilities. Note that the tool is not capable of storing or saving the information used. Owners/operators will need to print the results for their records. All of the tools can be found [here](#).

The new tool is for Standards of Performance for New Stationary Sources (NSPS) **Subpart WWW: Municipal Solid Waste Landfills**

Existing Reg Nav Tools include:

NSPS for Stationary Spark Ignition Internal Combustion Engines-

Subpart JJJJ/ NSPS for Stationary Compression Ignition Internal Combustion Engines- NSPS

Subpart IIII (combined tool)

National Emission Standards for Hazardous Air Pollutants (NESHAP):

Reciprocating Internal Combustion Engines (RICE)- Subpart ZZZZ

Brick and Structural Clay Products Manufacturing- Subpart JJJJ

Portland Cement Manufacturing Industry- Subpart LLL

If you have difficulties getting Reg Nav to open in one internet browser, please try another browser.

Feel free to share this information with others who may be interested.

Tony Pendola NC Small Business Environmental Assistance Program 9/24/2020

I am proud to announce that the [6H Regulatory Navigation tool](#) is now live. It helps autobody shops determine if they can be exempt from the rule. EPA will be notifying Multi-Jurisdictional Organizations (MJOs) of its existence, and I will have articles in the trade press soon. At the end, it points people to the SBEAP State map for additional assistance. If you get questions that you aren't sure how to answer, please feel free to contact me.

Nancy Larson KS Small Business Environmental Assistance Program 9/16/2020

EPA Seeks Small Businesses Input on Risk Management Rulemakings for Methylene Chloride and 1-Bromopropane

The U.S. Environmental Protection Agency (EPA) is inviting small businesses, governments, and not-for-profits to participate as Small Entity Representatives (SERs) to provide advice and recommendations to two Small Business Advocacy Review (SBAR) panels. There will be one panel for methylene chloride and one panel for 1-bromopropane. Each will focus on the agency's development of proposed rules to address unreasonable risks identified in EPA's recently completed Toxic Substances Control Act (TSCA) risk evaluations for these chemicals.

Under TSCA, EPA is required to evaluate the risks associated with existing chemicals in commerce using the best available science before taking action to address any unreasonable risks. The agency issued two final risk evaluations, [methylene chloride](#) in June 2020 and [1-bromopropane](#) in August 2020, both showing unreasonable risks to workers and consumers under certain conditions of use. EPA is now moving to the risk management step in the TSCA process by working to draft regulations to protect public health from the unreasonable risks identified in the final risk evaluations.

The Regulatory Flexibility Act requires agencies to establish a SBAR Panel for rules that may have a significant economic impact on a substantial number of small entities. The SBAR panels will include federal representatives from the Small Business Administration (SBA), the Office of Management and Budget (OMB), and EPA.

SERs will be selected by the SBAR Panels to provide comments on behalf of their company, community, or organization and advise the panel on the potential impacts of the proposed rule on small entities. EPA is seeking self-nominations directly from the small entities that may be subject to the rule requirements. Other

representatives, such as trade associations that exclusively or at least primarily represent potentially regulated small entities, may also serve as SERs.

SERs provide advice and recommendations to the panel. The SERs participate in consultations with the SBAR Panel via telephone, webinar, or in person in one or two meetings and are given an opportunity to submit written comments to the Panel. Self-nominations may be submitted through the link below and must be received by September 30, 2020.

In addition to engaging with small businesses, EPA is executing a robust outreach effort on risk management that includes one-on-one meetings with stakeholders and formal consultations with state and local governments, tribes, and environmental justice communities. There will also be an open public comment on any draft risk management regulations.

Nominate yourself as a Small Entity Representative to the Methylene Chloride SBAR Panel ([link](#)).

Nominate yourself as a Small Entity Representative to the 1-Bromopropane SBAR Panel ([link](#)).

[Learn more about the Small Business Advocacy Review process.](#)

[Learn more about TSCA risk management and opportunities for stakeholder engagement.](#)

Nancy Larson KS Small Business Environmental Assistance Program 9/9/2020

Here's an [article](#) to share on covid and sewage.

Nancy Larson KS Small Business Environmental Assistance Program 9/9/2020

EPA Announces Opportunities for Public Engagement and Outreach on Risk Management Under TSCA

The U.S. Environmental Protection Agency (EPA) is announcing a broad public engagement and outreach effort to discuss how the agency will approach the rulemaking process to address unreasonable risks found in the final Toxic Substances Control Act (TSCA) chemical risk evaluations. After issuing the first two final risk evaluations, [methylene chloride](#) and [1-bromopropane](#), EPA is moving into the risk management phase and is hosting a robust process to gain important feedback from stakeholders on the options for managing those risks.

“All stakeholders can expect transparent, proactive and meaningful outreach and engagement as we move through the risk management rulemaking process,” said EPA Office of Chemical Safety and Pollution Prevention Assistant Administrator Alexandra Dapolito Dunn.

EPA is holding two public webinars in September 2020 to kick off this outreach effort. Each will provide an overview of the TSCA risk management process and the tools available to manage the unreasonable risks. The first webinar, scheduled for September 16, 2020, will feature a discussion of the findings from the final risk evaluation for methylene chloride. The second webinar, scheduled for September 30, 2020, will include a discussion of the findings from the final risk evaluation for 1-bromopropane. Additional public webinars will be scheduled as EPA begins the risk management process for chemicals with unreasonable risks.

Additionally, EPA will begin one-on-one meetings with stakeholders and formal consultations with state and local governments, tribes, environmental justice communities, and small businesses. There will also be an open public comment period on any draft risk management regulation.

Under TSCA, there are several actions EPA can take to address unreasonable risks including banning a chemical, restricting the manufacturing, processing, distribution or use, warning labels/testing, and requiring manufacturers to notify distributors of any unreasonable risks. EPA has up to one year after issuing a final risk evaluation to propose and take public comments on any risk management actions. Find registration information for the September webinars and more information on [EPA's risk management outreach](#).

Background- Under TSCA, EPA is required to evaluate the risks associated with existing chemicals in commerce using the best available science before taking action to address any unreasonable risks. The agency has issued two final risk evaluations, [methylene chloride](#) in June 2020 and [1-bromopropane](#) in August 2020, both showing unreasonable risks to workers and consumers under certain conditions of use. EPA is now moving to risk management for these chemicals, the next step in the process required by TSCA.

EPA plans to issue final risk evaluations for the remaining eight of the first 10 chemicals by the end of 2020. [Learn more about the risk evaluation process required by TSCA.](#)

Nancy Larson KS Small Business Environmental Assistance Program 9/7/2020

EPA Releases Final Scope Documents and List of Businesses Subject to Fees for Next 20 TSCA Risk Evaluations

Today, EPA is releasing final scope documents for the next 20 chemicals undergoing risk evaluation under the Toxic Substances Control Act (TSCA).

The documents will guide the agency's risk evaluations for the chemicals and contain EPA's plan for what the risk evaluations will include and how they will be conducted. EPA used feedback received during the public comment period to inform the final documents. With the issuance of the final scope documents, the agency will begin the risk evaluations for these chemicals and anticipates publishing draft risk evaluations for public comment over the next three years.

EPA is also releasing the final list of businesses subject to fees associated with these risk evaluations. Following [publication of the preliminary lists in January 2020](#), manufacturers (including importers) of these 20 chemicals were required to report to EPA and identify whether they manufacture or import these chemicals. EPA used this information, along with feedback received during the public comment period, to develop the final list.

Companies on the final list are subject to a portion of the TSCA fee for these risk evaluations and have 60 days to notify EPA of the formation of consortiums. The agency plans to begin invoicing for the fees after 60 days. Due to the public health emergency, EPA is exploring options for payment flexibilities.

[View the final scope documents.](#)

[View the final list of fee payers.](#)

Background

In April 2020, EPA released draft scope documents for the next 20 chemicals undergoing risk evaluation for public comment. The final scope documents include conditions of use, hazards, exposures, and the potentially exposed or susceptible subpopulations EPA will consider in the risk evaluations. The documents also include: a description of the reasonably available information and the science approaches that the agency will use; a conceptual model that outlines the potential hazards and exposures throughout the lifecycle of the chemical; an analysis plan to identify the approaches and methods EPA will use to assess health and environmental factors; and a plan for peer review.

Under the TSCA Fees Rule, manufacturers (including importers) of each chemical are responsible for paying a fee associated with EPA-initiated risk evaluations. Last week, EPA released an interim final list of fee payers to give businesses and other stakeholders an opportunity to review the list for accuracy and provide time for businesses to engage in initial outreach regarding the formation of consortia to share in fee payments. TSCA requires that the final list of fee payers for these risk evaluations be issued concurrently with the final scopes.

In March 2020, the agency announced its [plan to initiate a new rulemaking process to update the fees rule](#) to resolve implementation issues raised by stakeholders.

[Learn more at TSCA fees.](#)

Rhonda Wright US EPA 9/1/2020

Yesterday, the Administrator signed a direct final rule and parallel proposal that confirm for the public and state air agencies that nine areas attained the 1997 ozone National Ambient Air Quality Standards (NAAQS) by their respective attainment dates. This action recognizes the effort these areas took to address ozone air quality and ensures that they will not be subject to consequences for not attaining the standards as required. The areas are:

1. Buffalo-Niagara Falls, New York.
2. Jamestown, New York.
3. Jefferson County, New York.
4. Poughkeepsie, New York.

5. Shoreline Sheboygan County, Wisconsin.
6. Inland Sheboygan County, Wisconsin.
7. Denver-Boulder-Greeley-Ft. Collins-Loveland, Colorado.
8. San Francisco Bay Area, California; and,
9. Ventura County, California.

This action confirms for the public and state air agencies that these areas are not subject to reclassification and other anti-backsliding consequences for failure to timely attain the 1997 ozone standards. Read a pre-publication version of the direct final rule and parallel proposal as well as a summary fact sheet below. Pre-publications of both actions and a summary fact sheet are available [here](#).

Rhonda Wright US EPA 8/28/2020

On Friday, August 21, 2020 the Administrator signed a final rule correcting typographical and technical errors in several test methods and performance specifications. The final rule also incorporates alternative equipment and test methods the Agency has deemed acceptable to use. These revisions to testing regulations for air emission sources maintain environmental protection at no additional cost to industry. A [pre-publication version of the rule and a summary fact sheet](#) are available on the web.

Nancy Larson KS Small Business Environmental Assistance Program 8/30/2020

SBA Environmental Roundtable Meeting: FRIDAY, September 11, 2020, 10 a.m. – 12:00 p.m. Via Webinar

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet virtually to discuss the following topics, beginning at 10 a.m. on Friday, September 11, 2020. The meeting will be held using the Microsoft Teams platform.

Send your RSVP to tayyaba.zeb@sba.gov. A meeting link will be provided to you when you RSVP.

Agenda

10:00 AM – 11:00 AM EPA's Final Risk Evaluation for Methylene Chloride- Ingrid Feustel, Office of Pollution Prevention and Toxics, EPA; The Impact of the Methylene Chloride Risk Evaluation on Small Business- Christopher Bevan, Director of Scientific Programs, HSIA

11:00 AM – 12:00 PM EPA's Final Risk Evaluation for 1-Bromopropane- Ana Corado, Office of Pollution Prevention and Toxics, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issues for Discussion- September 11, 2020

EPA's Final Risk Evaluations for Methylene Chloride and 1-Bromopropane

EPA recently published its final risk evaluation for the first two of its 10 high-priority chemicals under the amended Toxic Substance Control Act (TSCA). On June 24, 2020 EPA published a risk evaluation for methylene chloride, finalizing determinations of unreasonable risk for 47 out of 53 evaluated conditions of uses. These uses range from consumer and commercial uses of degreasers and automotive care products to paint removers. On August 11, 2020 EPA published a risk evaluation for 1-bromopropane (1-BP), finalizing determinations of unreasonable risk for 16 out of 25 evaluated conditions of uses ranging from consumer cleaning products to commercial uses in vapor degreasers,

etc. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment means that the agency will have to regulate those risks, which can include use-restrictions or bans, among other options.

The agency is currently in the process of developing ways to address the identified unreasonable risks and has up to one year to propose and take public comments on any risk management actions. Within this time frame, the agency will also have to consider whether any potential regulations for the identified risks will have a significant economic impact on a substantial number of small entities and if so, the agency will need to convene a small business advocacy review panel to seek advice and recommendations from representatives of affected small entities on the potential impact of the proposed rule. For this reason, it is important for small business stakeholders to be informed of the conditions of use that have been determined to pose an unreasonable risk and the basis for those determinations. At this roundtable, EPA will be providing an overview of each of the two final risk evaluations; an hour has been allotted per chemical to allow for discussion and questions.

Speaker Bio: Christopher Bevan

Christopher Bevan is the Director of Scientific Programs at the Halogenated Solvents Industry Alliance, Inc. (HSIA). He is a toxicologist with over 30 years of experience in risk assessment and product safety. In discussing EPA's final risk evaluation for methylene chloride, Dr. Bevan will cover education, warnings, training, data gaps, etc. and the lack of understanding of what a small business needs to do. HSIA represents producers and users of methylene chloride. Many of HSIA's user members include small businesses. In the past, HSIA has participated in a small business advocacy review panel for methylene chloride to assist small entity representatives in providing advice and recommendation to EPA on its potential regulation for the use of this chemical as a paint remover.

Nancy Larson KS Small Business Environmental Assistance Program 8/26/2020

For those of you with state hazardous waste regulations that mirror EPA's. We will get these added to our environmental compliance resources page. Recently EPA HQ released some federal hazardous waste rule fact sheets meant to serve as compliance guides. HQ has indicated that the release of last year's small business guide was their offering for a SQG guide. These are available on-line in several languages, including English, at: [VSQG](#) [SQG](#) [LQG](#) My intent is to develop something more concise for SQG.

Nancy Larson KS Small Business Environmental Assistance Program 8/21/2020

EPA Tools, Resources, and Guidance for Small Businesses and Low Emitters

Did you know that EPA's Center for Corporate Climate Leadership provides organizations with tools, resources, and guidance for low emitters! The simplified framework for calculating a GHG inventory for low emitters can be used by smaller supply chain partners; office-based organizations; and public institutions, including government agencies and universities. Resources include:

- The Guide to Greenhouse Gas Management for Small Business & Low Emitters – explains how small businesses and low emitters can approach measuring GHG emissions.
- The EPA Simplified GHG Emissions Calculator – helps small business and low emitter organizations estimate and inventory their annual GHG emissions (updated August 2020!).
- Simplified Inventory Management Plan Form – allows businesses to detail their GHG emissions inventory process.

Additionally, the Climate Registry (TCR) has partnered with Southern California Edison to develop its Small Business and Local Government Program, which provides organizations free training, tools, and support to develop their carbon footprints and implement reduction strategies. TCR has adapted its reporting guidance to focus on the emission sources most relevant to small businesses. This draft guidance is now open for public comment. A four-page executive summary of the document is also available.

To provide comments, you may submit your feedback by September 10, 2020:

- Review the draft guidance on TCR's website.
- Provide your feedback through this online survey.

Rhonda Wright US EPA 8/20/2020

Today, EPA [posted draft emission models](#) for swine operations developed using data gathered during the [National Air Emissions Monitoring Study \(NAEMS\)](#). The Agency continues to develop emission models for broiler, egg-layer, and dairy animal feeding operations. The public comment period associated with this draft will occur when EPA completes drafts of all of the emission models for all animal sectors monitored during NAEMS, anticipated in 2021. Once finalized, the emission models will be used by animal feeding operations participating in a voluntary consent agreement known as the Air Compliance Agreement to determine applicability of certain Clean Air Act permitting requirements. [Fact sheet](#) Please share this information with your stakeholders as appropriate.

Rhonda Wright US EPA 8/19/2020

As a reminder, based on the Environmental Protection Agency's (EPA's) review of the air quality criteria and the national ambient air quality standards (NAAQS) for photochemical oxidants including ozone (O₃), the EPA is proposing to retain the current standards, without revision. Comments must be received on or before October 1, 2020. Also, the EPA will hold two virtual public hearings on Monday, August 31, 2020, and Tuesday, September 1, 2020.

Participation in Virtual Public Hearings

Please note that the EPA is deviating from its typical approach because the President has declared a national emergency. Due to the current Centers for Disease Control and Prevention (CDC) recommendations, as well as state and local orders for social distancing to limit the spread of COVID-19, the EPA cannot hold in-person public meetings at this time. The EPA will begin pre-registering speakers for the hearings upon publication of this document in the Federal Register. To register to speak at a virtual hearing, please use the [online registration form](#) or contact Ms. Regina Chappell at (919) 541-3650 or by email at chappell.regina@epa.gov to register to speak at the virtual hearing. The last day to pre-register to speak at one of the hearings will be August 27, 2020. A [publication version of the notice and a summary fact sheet](#) are available.

Review of the Ozone National Ambient Air Quality Standards, 49830-49917

<https://www.govinfo.gov/content/pkg/FR-2020-08-14/html/2020-15453.htm>

<https://www.govinfo.gov/content/pkg/FR-2020-08-14/pdf/2020-15453.pdf>

Rhonda Wright US EPA 8/14/2020

On Thursday, August 13, the Administrator signed two final rules amending the New Source Performance Standards (NSPS) for the Oil and Natural Gas Industry. The final policy amendments to the 2012 and 2016 NSPS remove the transmission and storage segment from the rule, rescind VOC and methane emissions standards for that segment, and rescind methane emissions standards for the production and processing segments. The final technical amendments to the 2016 NSPS make a number of changes to the rule to simplify compliance, including changes to the leaks monitoring and repair schedules for gathering and boosting compressor stations and low-production wells, changes to recordkeeping and reporting requirements (leaks are called “fugitive emissions” in the rule), and changes to incorporate several states’ requirements, among others. [Pre-publication versions of the two rules, along with summary fact sheets](#) are on the web.

Nancy Larson KS Small Business Environmental Assistance Program 8/11/2020

EPA Releases Final Chemical Risk Evaluation for 1-BP

Today, the U.S. Environmental Protection Agency (EPA) released the final risk evaluation for 1-bromopropane (1-BP). Under the Toxic Substances Control Act (TSCA), EPA is required to evaluate the

risks associated with existing chemicals in commerce using the best available science before taking action to address any unreasonable risks. Today's final risk findings complete the risk evaluation process required by TSCA for 1-BP.

EPA used feedback received from the public and the scientific peer review process carried out by the Science Advisory Committee on Chemicals to inform the final risk evaluation. The final risk evaluation for 1-BP shows that there are unreasonable risks to workers, occupational non-users, consumers, and bystanders for 16 out of 25 conditions of use. EPA did not find unreasonable risks to the environment or to the general population for all conditions of use.

The next step in the process required by TSCA is developing a plan to reduce or eliminate the unreasonable risks found in the final risk evaluation. EPA is moving immediately to risk management for this chemical and will work as quickly as possible to propose and finalize actions to protect workers, occupational non-users, consumers, and bystanders.

There are several actions EPA could take to address these risks, including regulations on how the chemical is used, or limiting or prohibiting the manufacture, processing, distribution in the marketplace, use, or disposal of this chemical, as applicable. As with any chemical product, EPA strongly recommends that users of products containing 1-BP continue to carefully follow all instructions on the product's label and safety data sheet. [View the 1-BP final risk evaluation and supporting documents.](#)

Background

1-BP is used as a solvent in commercial and industrial applications and as a reactant in the manufacturing of other chemical substances. Common commercial uses of 1-BP are as a solvent in vapor degreasing, dry cleaning, spot cleaners, stain removers, adhesives, sealants, and automobile care products. Consumer uses include adhesives, degreasers, cleaners, and automobile care products.

[In June 2020, EPA granted two petitions to add 1-BP to the Clean Air Act list of air toxics.](#) Exposure to the general population from ambient air is not part of this risk evaluation. The agency will take a separate regulatory action to add 1-BP to the Clean Air Act list of Hazardous Air Pollutants. After 1-BP is added to the list, EPA may revise air toxic standards for source categories that emit 1-BP or add new source categories for sources of 1-BP emissions. EPA plans to issue final risk evaluations for the remaining eight of the first 10 chemicals by the end of 2020. [Learn more about the risk evaluation process required by TSCA.](#)

Rhonda Wright US EPA 8/11/2020

Yesterday, the Administrator signed amendments to the New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Other Solid Waste Incineration (OSWI) Units. The OSWI NSPS and EG was promulgated pursuant to section 129 of the Clean Air Act (CAA) in 2005. This action addresses EPA's obligation under the CAA to conduct a review for the OSWI source category. The review requires EPA to review and revise the maximum achievable control technology standards as necessary, taking into account developments in practices, processes and control technologies, no less often than every 5 years. This proposed review is subject to a court-ordered publication deadline of August 31, 2020, and the final rule is subject to a court-ordered promulgation date of May 31, 2021.

Following a recurring statutory review conducted under Clean Air Act (CAA) section 129, EPA determined that no new cost-effective controls are available. The agency is not making any changes to the standards based on the results of the CAA 129 review. However, based on additional information the agency has obtained since the 2005 final rule, EPA is proposing to amend the standards for small OSWI units by:

- Amending rule applicability provisions to recognize, based on (1) the type of waste being combusted and (2) daily combustion capacity, that some units previously subject to the Commercial and Industrial Solid Waste Incineration (CISWI) rule are OSWI units.
- Increasing testing and monitoring flexibilities so small units with rudimentary designs can demonstrate compliance with the OSWI rule.

To address some issues that resulted in a voluntary remand of the 2005 OSWI rule, the agency is proposing to revise standards for small OSWI units based on data from representative units. EPA is proposing other minor amendments to the rule, including:

- revised regulatory provisions related to emissions during periods of startup, shutdown and malfunction; and
- provisions for electronic reporting of certain notifications and reports.

If finalized as proposed, EPA estimates the amendments would reduce air pollutant emissions from the OSWI source category by about 31 tons per year. [A fact sheet and pre-publication version of the final rule may be accessed here.](#)

Rhonda Wright US EPA 8/11/2020

On August 6, 2020, Anne Austin signed a proposal to redesignate as “attainment/unclassifiable” certain “unclassifiable” areas in Missouri, Ohio, Nebraska, and Texas. When these areas were initially designated, EPA did not have sufficient information to determine if they attained the 2010 1-hour health-based National Ambient Air Quality Standard for Sulfur Dioxide. Since then, the states added additional monitoring to better understand air quality in those areas. EPA now has sufficient information to determine that these areas are attaining the 2010 1-hour SO₂ primary NAAQS. EPA is also proposing to approve requests for redesignation from the states of Nebraska, Ohio, and Texas. EPA has not received a formal request to redesignate the Missouri area, so the Agency is concurrently notifying the Governor of its recommendation that the area be redesignated to attainment/unclassifiable, based on currently available information. Read a [pre-publication version of the proposal, the letter to the Governor of Missouri, and a summary fact sheet.](#)

Tony Pendola NC Small Business Environmental Assistance Program 8/3/2020

I believe many of you may find this [in-depth discussion](#) of interest and know that many of you are experiencing the same issues. Keep in mind that states and municipalities are required by the CAAA to collect enough funds to run the program which generally includes SBEAPs.

R Lynelle Ladd KS Small Business Environmental Assistance Program 8/3/2020

Now I know my group definer...I am part of the Silver Tsunami! Class of 1990 CAAA...lol – except it took Kansas a while to really get the Title V program going so it was more like 1998-1999. Anyway, thanks for sharing this. Kansas has made several modifications to permitting and emission fees to try to stave off the decline in revenue, as well. We always hoped we’d work ourselves out of a job, right? For the sake of the environment at least. But I want to retire first...or have some time to investigate my second life career.

BTW – I listen to most Youtube Videos at playback speed 2. More info, fast! I skipped most questions at the end but can get through a 1.5 hour video in under ~ 40 minutes. If you haven’t tried it, I recommend the method (except if the speaker is a fast speaker to begin with.)

R Sean Taylor GA Department of Natural Resources 8/3/2020

Just FYI, Georgia raised permit fees this year across the board to make up for the shortfall we have been experiencing with four coal-fired power plants shutting down and declining pollution throughout the State in the last several years. Synthetic Minor fees went from \$1700 to \$2100, fees for facilities subject to one or more NSPS went from \$1500 to \$1900, and we added a maintenance fee to all Title V facilities of \$650. We had also started expedited permit fees a few years ago and permit application fees last year, which are both being raised at some point in the next year. These changes in addition to some staffing reduction through attrition should get us back to a balanced budget.

Tony Pendola NC Small Business Environmental Assistance Program 7/24/2020

U.S. EPA Proposed Consent Decree to Establish NSPS/NESHAP for Seven Source Categories

U.S. EPA has issued a [notice of proposed consent decree](#) with Our Children's Earth Foundation (published 7/24/2020) that would establish deadlines for U.S. EPA to take action on the source categories for four New Source Performance Standards (NSPS) and three existing National Emission Standards for Hazardous Air Pollutants (NESHAP): Secondary Lead Smelters NSPS; Lead-Acid Battery Manufacturing NSPS; Industrial Surface Coating of Plastic Parts for Business Machines NSPS; Automobile and Light Duty Truck Surface Coating Operations NSPS; Dry Cleaning Facilities NESHAP; Paint Stripping and Miscellaneous Surface Coating Operations NESHAP; and, Lead Acid Battery Manufacturing NESHAP. The deadline to comment on the [proposed consent decree](#) is August 24, 2020.

Rhonda Wright US EPA 7/21/2020

On Friday, July 17, 2020, the U.S. Environmental Protection Agency (EPA) finalized minor revisions to the 2012 Coal- and Oil-Fired Electric Utility Steam Generating Units National Emission Standards for Hazardous Air Pollutants, known as the Mercury Air Toxics Standards (MATS). This final action identifies data elements to be reported electronically by power plants using the Emissions Compliance and Monitoring Plan System Client Tool and extends the submission of certain reports using portable document format file through December 31, 2023. While this final action changes the format and mechanism for electronic reporting, it does not change the compliance information already required by the current rule. [A fact sheet and pre-publication version of the final rule may be accessed here.](#)

Rhonda Wright US EPA 7/16/2020

Yesterday, the Administrator signed a final rule amending regulations guiding the preparation of state implementation plans (SIPs). These regulations are found in 40 CFR Part 51. The final rule revises the minimum reporting frequency requirement for SIPs applicable to source categories listed in Appendix P to 40 CFR Part 51 from quarterly to semiannual (twice per year at 6-month intervals). This revision is generally consistent with the current reporting frequency requirements to which these sources are subject under other programs (e.g., New Source Performance Standards). As a result of this final rule, each state may—but is not be required to—revise its SIP to allow semiannual reporting for four source categories:

1. fossil fuel-fired steam generators of more than 250 million British thermal units per hour heat input;
2. fluid bed catalytic cracking unit catalyst regenerators at petroleum refineries;
3. sulfuric acid plants; and
4. nitric acid plants.

[A pre-publication version of the final rule and a summary fact sheet are on the web.](#)

Rhonda Wright US EPA 7/14/2020

Yesterday, the Administrator signed a proposal to retain the current standards for ground-level ozone. [A prepublication version of the notice and a summary fact sheet are available.](#)

Rhonda Wright US EPA 7/8/2020

Under the CAA, the Environmental Protection Agency (EPA) is required to regulate emissions of air toxics, also known as hazardous air pollutants (HAPs). The original CAA list of regulated air toxics included 189 pollutants. Since 1990, EPA has modified the list through rulemaking to include 187 pollutants. Air toxics are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The CAA allows any person to petition EPA to modify the list by adding or deleting a substance. To add a substance, the petition must provide adequate data for EPA to determine that emissions, ambient concentrations, bioaccumulation, or deposition of the substance are known to cause or may reasonably be anticipated to cause adverse effects to human health or the environment.

EPA received petitions requesting 1-bromopropane (1-BP), also known as n-propyl bromide (nPB), be added to the CAA list of air toxics. This chemical is a solvent used in electronics and metal cleaning,

surface coatings, dry cleaning, adhesives, and as an intermediate chemical in the manufacture of pharmaceuticals and agricultural products. On June 18, 2020, EPA finalized its decision to grant petitions to add 1-BP to the list of CAA hazardous air pollutants — this is the first time since 1990 that EPA has granted a petition to add a hazardous air pollutant to the CAA. Granting these petitions is the first step in a series of actions to address air emissions of 1-BP. In a subsequent action, EPA will modify the Code of Federal Regulations to add 1-BP to the CAA list of air toxics — after it is added, EPA may consider revising or creating new emissions standards for source categories that emit 1-BP. The purpose of this webinar is to provide a high-level overview of the petition approval process and to provide small businesses an opportunity to ask questions or provide feedback concerning facilities in their community that may be subject to revised or new emission standards by the upcoming listing. [More information on 1-BP](#)

Tony Pendola NC Small Business Environmental Assistance Program 7/10/2020

Title National Emission Standards for Hazardous Air Pollutants: Site Remediation Residual Risk and Technology Review [cyberregs.com]
Citation Final Rule for 40 CFR Part 63 [cyberregs.com]
Reference 07/10/2020 85 FR 41680-41714 (Vol. 85, No. 133)
Issuer ENVIRONMENTAL PROTECTION AGENCY
Conditions #1 (Articles about 40 CFR Division 'Clean Air Act / Air Programs (CAA)')
Met #4 (Articles having keyword NESHAPS)

This action finalizes the residual risk and technology review (RTR) conducted for the Site Remediation source category regulated under national emission standards for hazardous air pollutants (NESHAP). The U.S. Environmental Protection Agency (EPA) is finalizing the proposed determination that risks due to emissions of air toxics from site remediation sources are acceptable and that no revision to the standards is required to provide an ample margin of safety to protect public health. Based on the results of our technology review, we are promulgating the proposed changes to the leak detection and repair (LDAR) program. In addition, the EPA is finalizing amendments to revise regulatory provisions pertaining to emissions during periods of startup, shutdown and malfunction (SSM), including finalizing work practice requirements for pressure relief devices (PRDs) and the 240-hour maintenance period for control devices on tanks. We are finalizing requirements for electronic submittal of semiannual reports and performance test results. Finally, we are making minor clarifications and corrections. The final revisions to the rule will increase the level of emissions control and environmental protection provided by the Site Remediation NESHAP

Tony Pendola NC Small Business Environmental Assistance Program 7/9/2020

Title National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating Residual Risk and Technology Review [cyberregs.com]
Citation Final Rule for 40 CFR Part 63 [cyberregs.com]
Reference 07/09/2020 85 FR 41276-41319 (Vol. 85, No. 132)
Issuer ENVIRONMENTAL PROTECTION AGENCY
Conditions #1 (Articles about 40 CFR Division 'Clean Air Act / Air Programs (CAA)')
Met #4 (Articles having keyword NESHAPS)
Met #5 (Articles having keyword NSPS)

This action finalizes the residual risk and technology review (RTR) conducted for the Paper and Other Web Coating (POWC) source category regulated under national emission standards for hazardous air pollutants (NESHAP). The Agency is finalizing the proposed determination that risks due to emissions of air toxics are acceptable from this source category and that the current NESHAP provides an ample margin of safety to protect public health. Further, the U.S. Environmental Protection Agency (EPA)

identified no new cost-effective controls under the technology review would achieve significant further emissions reductions, and, thus, is finalizing the proposed determination that no revisions to the standards are necessary based on developments in practices, processes, or control technologies. In addition, the Agency is taking final action addressing startup, shutdown, and malfunction (SSM). These final amendments address emissions during SSM events, add a compliance demonstration equation that accounts for retained volatiles in the coated web; add repeat testing and electronic reporting requirements; and make technical and editorial changes. The EPA is making these amendments to improve the effectiveness of the NESHAP, and although these amendments are not expected to reduce emissions of hazardous air pollutants (HAP), they will improve monitoring, compliance, and implementation of the rule.

Rhonda Wright US EPA 7/9/2020

Yesterday the Administrator signed a proposal that would amend the 2013 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, commonly known as the “Boiler MACT.” The proposed amendments and additional explanation provided in this action are EPA’s response to three remands issued by the D.C. Circuit Court, two in 2016 in U.S. Sugar Corp. v. EPA and one in 2018 in Sierra Club, et al. v. EPA. [A pre-publication version of the notice, the RIA, and a summary fact sheet are available.](#) Thanks for sharing this information with your key stakeholders.

Mark Stoddard IN Compliance & Technical Assistance Program 7/8/2020

<https://www.epa.gov/sites/production/files/2020-06/documents/qa-6x-9metal-fabricationfinishing-areaneshap-06-22-20.pdf>

Tony Pendola NC Small Business Environmental Assistance Program 7/8/2020

FYI - bottom line - no emission limits changes

NESHAP: Surface Coating of Automobiles and Light-Duty Trucks; Miscellaneous Metal Parts and Products; Plastic Parts and Products; Large Appliances; Printing, Coating, and Dyeing of Fabrics and ... [cyberregs.com]

Citation Final Rule for 40 CFR Part 63 [cyberregs.com]

Reference 07/08/2020 85 FR 41100-41161 (Vol. 85, No. 131)

Issuer ENVIRONMENTAL PROTECTION AGENCY

Conditions #1 (Articles about 40 CFR Division 'Clean Air Act / Air Programs (CAA)')

Met #4 (Articles having keyword NESHAPS)

#5 (Articles having keyword NSPS)

The U.S. Environmental Protection Agency (EPA) is taking final action on the residual risk and technology reviews (RTRs) conducted for the Surface Coating of Automobiles and Light-Duty Trucks (ALDT); Surface Coating of Miscellaneous Metal Parts and Products (MMPP); and the Surface Coating of Plastic Parts and Products (PPP) source categories regulated under national emission standards for hazardous air pollutants (NESHAP). These final amendments also address emissions during periods of startup, shutdown, and malfunction (SSM); electronic reporting of performance test results and compliance reports; the addition of EPA Method 18 and updates to several measurement methods; and the addition of requirements for periodic performance testing. Several miscellaneous technical amendments were also made to improve the clarity of the rule requirements. We are making no revisions to the numerical emission limits based on these risk analyses or technology reviews. This notice also finalizes technical corrections to the NESHAP for Surface Coating of Large Appliances; NESHAP for Printing, Coating, and Dyeing of Fabrics and Other Textiles; and NESHAP for Surface Coating of Metal Furniture.

Nancy Larson KS Small Business Environmental Assistance Program 7/6/2020

National EPA Disaster Debris Recovery Tool (DDRT) Launched!

EPA's DDRT GIS Mapping Tool launched nationally to assist federal, state, local and tribal emergency disaster debris planners and responders to quickly identify recycling, composting, and disposal facilities that may be able to accept disaster debris. It includes a cool feature that allows responders to map around blocked routes. Thanks to our partners at CalRecycle, Hawaii Department of Health, Nevada Division of Environmental Protection and the Arizona Department of Environmental Quality for sharing their data to support the tool's development. Thanks also to our San Francisco colleagues for piloting the tool during their Disaster Debris Management & Emergency Route Opening Full Scale Exercise to support the City's Zero Waste goal and for sharing their experience on EPA's DDRT webinar.

[DDRT Mapping Tool & Downloadable Data](#)
[Recorded EPA Webinar & Slides](#)

U.S. Forest Service's Award-Winning Zero Waste Wildfire Response Initiative

The USDA Forest Service Region 5 in Vallejo, Calif., recently won a well-deserved EPA Federal Green Challenge Innovation Award for their work on the [National Greening Fire Team](#) to achieve net zero waste at all large fire incidents by 2030 and integrate sustainable operations best practices into the response community.

[Learn More](#)
[Read about all of EPA's Federal Green Challenge Award winners](#)

Last Call – Due July 6th: Submit Online Comments on EPA's Buy Reused and Recycled Guidelines (Comprehensive Procurement Guidelines)

EPA is seeking public comments on the current list of items that are or can be made from recovered (reused and recycled) materials in its purchasing guidance for federal agencies -- as well as state and local government and contractors using appropriated federal funds. Since 1995, [EPA has designated 61 items made from recovered materials in eight product categories](#) to stimulate the demand for products made with reused and recycled materials. Comments are sought on whether the right products are on the list (last updated in 2007); if any should be added, deleted or modified; and whether the current reused and recycled content recommendations and procurement specifications are appropriate. Many thanks to everyone who gives their comments, time and expertise to improve government policies.

[Submit Comments Online - Federal Register Notice](#) (you can type comments in directly or upload attachments)

[Product Guides with Current Designated Item Information](#)
[Background Information](#)

[California Appoints Statewide Commission on Recycling Markets and Curbside Recycling](#)

Thank you and congratulations to all of the [Commission Members](#)!

[Washington's Residential Building Code Amendment Explicitly Allows the Lumber Reuse without Regrading](#)

King County, in consultation with experts, developed a building code amendment providing a clear directive to the engineer/designer and to remove potential liability from building officials while maintaining safety and increasing the economical use of salvaged lumber for those wishing to reuse quality material. Previously, quality, ungraded, salvaged lumber be reused in a structural capacity could not be used without either the high cost of grading or being allowed by the Building Official. The amendment assumes conservative, material base values that reflect past construction methods in Washington to expand the use of salvaged lumber without compromising safety.

Adopted Washington Residential Building Code Language

R602.1.1.1 Used Sawn Lumber. Used sawn lumber in good condition and devoid of areas of decay shall meet the requirements of Section 602.1.1 or shall comply with the following:

1. Dimensional lumber that has a nominal thickness of 2-inches with a nominal width of 6-inches, or less, shall be assumed to be spruce-pine-fir stud grade and shall have structural properties assigned in accordance with current adopted standards. All other dimensional lumber shall be assumed to be hem-fir No. 2 grade and shall have structural properties assigned in accordance with current adopted standards.

Tony Pendola NC Small Business Environmental Assistance Program 7/2/2020

Steven Schillinger is writing a weekly column for aftermarket MATTERS weekly and included a quote from me and a link to www.nationalsbeap.org/sectors/automotive. This column goes to over 20,000 shops directly and goes to all CIECA, SCRS, ASA, ASE, etc. members, which add a tremendous amount more. He has asked me to co-author a few articles on 6H. I'm sure one will be on the pros and cons of petitioning for exemption with a feature on the new reg nav tool I developed. If you have any ideas for that, please let me know. You will also notice a banner ad in the article mentioning many government assistance options. Currently, clicking on that banner goes directly to our resources webpage which I will try to get changed to our automotive or state contacts pages. Which do you think would be best?

R Donovan Grimwood NH Small Business Environmental Assistance Program 7/2/2020

As for the link, since it is discussing government assistance, I think the State Contacts link would be best. That way anyone following that link would be directed to the map where they can find their state contact for environmental assistance. This way, because of the wider distribution, it could cover more topics for assistance than just the automotive side.

R Renee Bashel WI Small Business Environmental Coordinator 7/2/2020

I second Donovan's reply.

Rhonda Wright US EPA 6/30/2020

Promulgation of Air Quality Implementation Plans; State of Texas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan

The U.S. Environmental Protection Agency (EPA) issued a final rule to affirm an existing Federal Implementation Plan (FIP) that established an intrastate SO₂ emissions trading program to meet certain Regional Haze Rule requirements in Texas. As part of an overall strategy to achieve natural visibility conditions in protected national parks and wilderness areas, the Regional Haze Rule requires states to determine Best Available Retrofit Technology (BART) for specific categories of stationary sources built between 1962 and 1977. The rule also includes provisions that allow states to adopt alternative measures to BART so long as the "BART alternative" will achieve greater overall visibility improvement. As a BART alternative, a number of states participate in [EPA's Cross-State Air Pollution Rule \(CSAPR\)](#) trading programs pursuant to a rule authorizing CSAPR as a BART alternative that EPA issued in 2012.

In October 2017, EPA put the SO₂ Trading Program in place as a BART alternative for electric generating units in Texas. After a public notice and comment period, EPA is making minor revisions to this FIP to strengthen the SO₂ Trading Program and increase its consistency with CSAPR. This action also affirms a partial approval of Texas' State Implementation Plan that found that no sources in Texas are subject to BART for particulate matter. [A prepublication version of the final rule is available.](#)

Response to the Petition for Partial Reconsideration of Interstate Transport of Fine Particulate Matter:
Revision of FIP Requirements for Texas

Concurrent with the Texas Regional Haze FIP affirmation, EPA is denying a November 2017 petition for reconsideration submitted by environmental groups objecting to aspects of EPA's September 2017 final rule that concluded that CSAPR remained "better than BART" in achieving visibility goals despite the

removal of Texas and certain other changes in CSAPR's geographic scope. [A prepublication version of the petition denial notice and signed petition response is available.](#)

Rhonda Wright US EPA 6/18/2020

More information regarding this will come in later days as this could potentially have impacts to small businesses. Last Friday the Administrator signed a notice taking final action to grant a petition to add 1-BP to the Clean Air Act list of hazardous air pollutants. This is the first step in a series of actions. In a subsequent action, EPA will modify the Code of Federal Regulations to add 1-BP to the CAA list of hazardous air pollutants. After 1-BP is added to the HAP list, EPA may consider revising or creating new emissions standards for source categories that emit 1-BP. This final notice does not have any direct impacts. The chemical 1-bromopropane (1-BP) is also known as n-propyl bromide (nPB). This morning, the HQ press office issued a release about this action. The [Federal Register notice and a summary fact sheet](#) are on the web. Thanks for sharing this information with your key stakeholders.

R Belinda Breidenbach ID Small Business Development Center 6/22/2020

I'm not familiar with 1-BP. I have several questions. To know which small businesses to reach out to: What industries - small businesses use 1-BP. Is it a solvent/degreaser with a very specific niche? I saw "automotive refrigerant flushes." But is this common? I also read dry cleaning. Again is this common? To offer solutions: Are there substitutes or P2 measures for 1-BP? What are they?

R Tony Pendola NC Small Business Environmental Assistance Program 6/22/2020

Everybody used to refer to it as nPB. It started to get some traction several years ago as a completely unregulated drop-in solvent replacement for Perc. The rubber gaskets and tolerances on existing machines couldn't keep it from leaking out. It then formed Bromic Acid and rusted all the metal in the plant. As such, it fell out of favor and according to DLI (Drycleaning & Laundry Institute) is quite rare now. I don't know anything about refrigerant flushes.

R Lea Carmichael US EPA 6/22/2020

EPA recently published a DRAFT risk evaluation for 1BP. [You might find this site helpful.](#)

R Ed Bakos NJ Small Business Assistance Program 6/22/2020

Yes, N-PB is rare with dry cleaners. N-PB was an alternative (replacement or drop in solvent) to Perc dry cleaning machines. Furthermore, it is used as a degreaser with different manufacturing processes such as: nPB is a solvent used in electronics and metal cleaning, surface coatings, dry cleaning, adhesives, and as an intermediate chemical in the manufacture of pharmaceuticals and agricultural products.

R Mark Stoddard IN Compliance & Technical Assistance Program 6/22/2020

About ten years ago, some drycleaners were exploring the prospect of using n-Propyl Bromide as part of a blend known as Dry-Solv then Fabri-Solv. I believe the physical properties are somewhat close to that of Perc. If I recollect accurately, the solvent mixture could be used in a Perc dry-cleaning machine. Attached is a health hazard alert from July 2003.

Since 2002, there have been 8 phone calls, 2 e-mails and two site visits regarding the use of Propyl Bromide. Most of the inquiries took place in 2007 & 2009 with one e-mail coming earlier this year. 4 inquiries were from businesses other than drycleaning and were interested in replacing TCE with something. You can also search the [EPA Comptox dashboard](#).

R Lynelle Ladd KS Small Business Environmental Assistance Program 6/22/2020

Thanks for that information about recent action on N-PB. It had been listed as a chemical EPA was considering to add to the HAP list for 5 or 6 years now, or maybe earlier....I am getting to where I can't think that far back, but it was in limbo for years, that I know.

R Rhonda Wright US EPA 6/23/2020

Yesterday was my day off, but I wanted to respond to you. I see many have already responded to your questions. Yes, it is a degreaser and this will impact dry cleaners...maybe others. I am planning a special webinar with the SBEAPs to discuss this. I am also in the process of developing materials that will help answer many of your questions. I will definitely be in touch soon.

Rhonda Wright US EPA 6/18/2020

Last night, the Administrator signed final amendments for two RTRs: the Taconite Iron Ore Processing NESHAP and the Miscellaneous Coatings Manufacturing NESHAP. Information about the two actions is below. Thanks in advance for sharing this with your stakeholders.

Air Toxics Standards for Taconite Iron Ore Processing

The U.S. Environmental Protection Agency (EPA) has evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing and determined that risks from this source category are acceptable. EPA has determined the standards continue to provide an ample margin of safety to protect public health and prevent adverse environmental effects. The agency also identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is additionally finalizing minor amendments to the existing regulation. These final amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results, notifications of compliance status and semi-annual reports. The final amendments also revise testing and monitoring requirements to be more efficient. A [prepublication version of the final amendments and a summary fact sheet](#) are available.

Air Toxics Standards for Miscellaneous Coating Manufacturing

The United States Environmental Protection Agency (EPA) is finalizing minor amendments to the 2003 Miscellaneous Coating Manufacturing National Emission Standard for Hazardous Air Pollutants (NESHAP). EPA has evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Miscellaneous Coating Manufacturing source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing no significant changes to the original NESHAP for this source category as a result of the risk and technology review and has determined the standards continue to provide an ample margin of safety to protect public health and the environment. EPA is finalizing minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction; require periodic emissions testing; and require electronic reporting of compliance reports, notifications and performance test results. These minor amendments are to go into effect 180 days from promulgation. A [prepublication version of the final amendments and a summary fact sheet](#) are available.

Sara Johnson NH Small Business Environmental Assistance Program 6/18/2020

Due to Covid19, our P2 program decided to "revamp" the SQG newsletter as a way to reach out to small businesses to remind them we are still open and able to help. The SBTAP is working with them on this project. The newsletter email contacts came from the Hazardous Waste notification forms. In NH, all HW generators must register, we do NOT have Conditionally Exempt.

Sara Johnson NH Small Business Environmental Assistance Program 6/17/2020

Recent Federal Register Notices –

June 12, 2020, Notice, [Proposed Information Collection Request; Comment Request; Information Collection: Effort for Ethylene Oxide Commercial Sterilization Facilities](#), 35931-35933 [EPA is planning to submit an information collection request (ICR), “Information Collection Effort for Ethylene Oxide Commercial Sterilization Facilities” (EPA ICR No. 2623.01, OMB Control No. 2060–NEW) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). Before doing so, the EPA is soliciting public comment on specific aspects of the proposed information collection as described below. This is a request for approval of a new collection. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Comments must be submitted on or before August 11, 2020.]

June 3, 2020, [Final Rule, NESHAP: Engine Test Cells/Stands Residual Risk and Technology Review](#), 34326-34351 [This action finalizes the residual risk and technology review (RTR) conducted for the Engine Test Cells/Stands source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action on amendments to the Engine Test Cells/Stands NESHAP addressing periods of startup, shutdown, and malfunction (SSM). These final amendments also include provisions regarding electronic reporting, as well as clarifying and technical corrections. These final amendments will result in improved compliance and implementation of the rule.]

Rhonda Wright US EPA 6/9/2020

On June 5, 2020, the U.S. Environmental Protection Agency (EPA) proposed an Information Collection Request (ICR) for ethylene oxide commercial sterilization facilities and is requesting public comment on the action. The data collected through the ICR, in combination with the December 2019 questionnaire that was sent to nine ethylene oxide sterilization companies, will enable EPA to have a better understanding of emissions, emissions sources, processes and control technologies in use at ethylene oxide sterilization facilities nationwide. EPA’s analysis of the ICR data will support the agency’s ongoing review of the Ethylene Oxide Commercial Sterilization and Fumigation Operations National Emission Standards for Hazardous Air Pollutants. EPA will accept comment on the proposed ICR for 60 days after publication in the Federal Register. A [pre-publication version of the proposed ICR is available](#). Thanks in advance for sharing this with your stakeholders.

Rhonda Wright US EPA 6/9/2020

Today, the U.S. Environmental Protection Agency (EPA) finalized minor amendments to the 2004 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Plywood and Composite Wood Products (PCWP) source category. The PCWP source category includes 230 facilities: 93 PCWP facilities, 121 lumber mills and 16 facilities that produce both PCWP and lumber. EPA identified acetaldehyde, acrolein, formaldehyde, methanol, phenol and propionaldehyde as the main pollutants emitted from this sector. Based on the results of required residual risk review, EPA determined that risks from the source category are acceptable. In addition, based on the results of the technology review, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics from the emission units regulated under the PCWP NESHAP. EPA is finalizing no significant changes to the original NESHAP for this source category and concludes that the standards continue to provide an ample margin of safety to protect public health and the environment.

EPA is finalizing only minor amendments to the existing regulation. These final amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction; incorporate work practices for certain startup and shutdown events based on site-specific procedures; require testing every 5 years to improve performance of control technologies other than biofilters (already required to test every 2 years); and require electronic reporting of performance test results and semiannual reports. A [fact sheet and pre-publication version of the final rule](#) are available. Thanks in advance for sharing this with your stakeholders.

Rhonda Wright US EPA 6/9/2020

The Trends website is updated with the new, interactive [Air Trends report](#) highlighting the most current, available air quality and emissions information through 2019. Please check it out and share it with interested stakeholders.

Rhonda Wright US EPA 6/5/2020

Please let your key stakeholders know that the Administrator has signed two final risk and technology rules. A short summary of each and a link to the website where you can find a pre-publication version of each notice and a summary factsheet is below:

[Rubber Tire Manufacturing](#) – EPA finalized no significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to public health and the environment. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing only minor amendments to the existing regulation. These final amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting.

[Lime Manufacturing](#) – EPA finalized no significant changes to the 2004 NESHAP and determined that the standards continue to provide an ample margin of safety to protect public health and the environment. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing minor amendments to clarify that standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of data submissions. The major change from proposal is the replacing of the proposed work practice standards for periods of startup and shutdown with emission standards that apply during those periods.

Nancy Larson KS Small Business Environmental Assistance Program 6/3/2020

My name is Dan Nickey with the Iowa SBEAP I am a member of EPA's Clean Air Act Advisory Committee (CAAAC) as a representative of the National Steering Committee. We had a brief meeting on May 20th, attached you will find the slides from the meeting that also contain the agenda. If you have any questions please let me know.

Dan Nickey- Associate Director Iowa Waste Reduction Center, University of Northern Iowa 319/273-6588

Further information on the CAAAC

Dan was nominated by the NSC a few years ago to be a part of this Committee. He applied along with a couple of other candidates from the SBEAP/SBO but we choose to nominate Dan. The spot on the committee was open and we hoped this would be a chance to have SBEAP/SBO represented as well as be the voice of small business. We, the SBEAP/SBO programs, are very lucky that Dan was chosen and that Dan has been a strong advocate for small businesses.

R Mark Stoddard IN Compliance & Technical Assistance Program 6/3/2020

I recall the name Dan Nickey. As I recall, he gave a presentation on 'Environmental Consulting, Assistance and Education for Iowa Small Businesses, almost 3 ½ years ago. I also recall viewing some vintage artifacts while attending the last in person and my only in person SBEAP Annual Training or Conference. I think he may have served in all the available roles at the time. It was known as the SBAP, back then? I would welcome any input from Mr. Nickey perhaps, if willing and available, he might even present during a future SBEAP Technical call. Just a thought.

Rhonda Wright US EPA 6/2/2020

On Friday, May 29th, EPA finalized amendments to the 2003 Miscellaneous Organic Chemical Manufacturing National Emission Standards for Hazardous Air Pollutants (NESHAP), known as MON. EPA evaluated the risks remaining and determined cancer risks from the miscellaneous organic chemical manufacturing source category to be unacceptable. To reduce risks to an acceptable level, EPA is finalizing additional requirements for process vents, storage tanks and equipment (pumps and connectors) in ethylene oxide service. Once these requirements are implemented, EPA has determined that risks will be acceptable and will provide an ample margin of safety to protect public health.

EPA is also finalizing amendments for heat exchange systems and equipment leaks that would further reduce emissions of hazardous air pollutants. In addition, EPA is finalizing amendments for added monitoring and operational requirements for a subset of flares that control ethylene oxide emissions and flares used to control emissions from processes that produce olefins and polyolefins, and is also allowing facilities outside of this subset to opt into these flare requirements in lieu of complying with the current flare standards. The final MON amendments are expected to reduce emissions of hazardous air pollutants from the source category by 107 tons per year, which includes reductions in ethylene oxide emission of approximately 0.76 tons per year. A [pre-publication version of the final rule and a summary fact sheet](#) are available. Thanks in advance for sharing this with your stakeholders.

Sara Johnson NH Small Business Environmental Assistance Program 6/2/2020

Federal Register Notices –

May 22, 2020, [Proposed Rule, Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters, and Forced-Air Furnaces](#), 31124-31130 [The U.S. Environmental Protection Agency (EPA) is proposing to amend the Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces. In response to the situation created by the COVID-19 pandemic, this proposed action restores the retail sales opportunities that were provided by the original 5-year period for “Step 1” wood heaters, hydronic heaters, and forced-air furnaces that were manufactured or imported before the May 15, 2020, “Step 2” compliance date. Upon promulgation, retailers may continue selling Step 1 heaters through November 30, 2020. Comments must be received on or before July 6, 2020.]

May 22, 2020, [Final Rule, NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units--Reconsideration of Supplemental Finding and Residual Risk and Technology Review](#), 31286-31320 [The U.S. Environmental Protection Agency (EPA) is revising its response to the U.S. Supreme Court decision in *Michigan v. EPA*, which held that the EPA erred by not considering cost in its determination that regulation under section 112 of the Clean Air Act (CAA) of hazardous air pollutant (HAP) emissions from coal and oil-fired electric utility steam generating units (EGUs) is appropriate and necessary. After primarily comparing the cost of compliance relative to the benefits of HAP emission reduction from regulation, the EPA finds that it is not “appropriate and necessary” to regulate HAP emissions from coal- and oil-fired EGUs, thereby reversing the Agency’s previous conclusion under CAA section 112(n)(1)(A) and correcting flaws in the Agency’s prior response to *Michigan v. EPA*. We further find that finalizing this new response to *Michigan v. EPA* will not remove the Coal- and Oil-Fired EGU source category from the CAA section 112(c) list of sources that must be regulated under CAA section 112(d) and will not affect the existing CAA section 112(d) emissions standards that regulate HAP emissions from coal- and oil-fired EGUs. The EPA is also finalizing the residual risk and technology review (RTR) conducted for the Coal and Oil-Fired EGU source category regulated under national emission standards for hazardous air pollutants (NESHAP), commonly referred to as the Mercury and Air Toxics Standards (MATS). Based on the results of the RTR analyses, the Agency is not promulgating any revisions to the MATS rule.]

May 12, 2020, [Proposed Rule, Improvements for Heavy-Duty Engine and Vehicle Test Procedures](#), 28140-28361 [The Environmental Protection Agency (EPA) is proposing changes to the test procedures

for heavy-duty engines and vehicles to improve accuracy and reduce testing burden. EPA is also proposing other regulatory amendments concerning light-duty vehicles, heavy-duty vehicles, highway motorcycles, locomotives, marine engines, other nonroad engines and vehicles, stationary engines. These would affect the certification procedures for exhaust emission standards, and related requirements. EPA is proposing similar amendments for evaporative emission standards for nonroad equipment and portable fuel containers. These amendments would increase compliance flexibility, harmonize with other requirements, add clarity, correct errors, and streamline the regulations. Given the nature of the proposed changes, they would have neither significant environmental impacts nor significant economic impacts for any sector. Comments must be received on or before June 26, 2020.]

April 15, 2020, [Final Rule, NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units--Subcategory of Certain Existing Electric Utility Steam Generating Units Firing Eastern Bituminous Coal Refuse for Emissions of Acid Gas Hazardous Air Pollutants](#), 20838-20855 [The U.S. Environmental Protection Agency (EPA) is taking final action establishing a subcategory of certain existing electric utility steam generating units (EGUs) firing eastern bituminous coal refuse (EBCR) for acid gas hazardous air pollutant (HAP) emissions that was noticed in a February 7, 2019, proposed rule titled “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units—Reconsideration of Supplemental Finding and Residual Risk and Technology Review” (2019 Proposal). After consideration of public comments, the EPA has determined that there is a need for such a subcategory under the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coal- and Oil-Fired EGUs, commonly known as the Mercury and Air Toxics Standards (MATS), and the Agency is establishing acid gas HAP emission standards applicable only to the new subcategory. The EPA’s final decisions on the other two distinct actions in the 2019 Proposal (i.e., reconsideration of the 2016 Supplemental Finding that it is appropriate and necessary to regulate EGUs under Clean Air Act (CAA) section 112 and the residual risk and technology review of MATS) will be announced in a separate final action.]

April 15, 2020, [Final Rule, Hydrochloric Acid Production Residual Risk and Technology Review](#), 20855-20873 [This action finalizes the residual risk and technology review (RTR) conducted for the Hydrochloric Acid (HCl) Production source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, in this action we are finalizing amendments to add electronic reporting; address periods of startup, shutdown, and malfunction (SSM); and establish work practice standards for maintenance activities pursuant to the Clean Air Act (CAA). We are making no revisions to the numerical emission limits based on the risk analysis or technology review. Although these amendments are not anticipated to result in reductions in emissions of hazardous air pollutants (HAP), they will result in improved monitoring, compliance and implementation of the rule.]

April 10, 2020, [Proposed Rule, Mercury and Air Toxics Standards for Power Plants Electronic Reporting Revisions](#), 20342-20378 [EPA is proposing amendments to the electronic reporting requirements for the National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units (also known as the Mercury and Air Toxics Standards (MATS)). This proposed action would revise and streamline the electronic data reporting requirements of MATS and increase data transparency by requiring use of one electronic reporting system, instead of two separate systems, and provide enhanced access to MATS data. No new continuous monitoring requirements would be imposed by this proposed action; instead, this action would reduce reporting burden, increase MATS data flow and usage, make it easier for inspectors and auditors to assess compliance, and encourage wider use of continuous emissions monitoring systems (CEMS) for MATS compliance. In addition, this proposed action would extend the current deadline for alternative electronic data submission via portable document format (PDF) files through December 31, 2023. Comments were due May 11, 2020.]

April 7, 2020, [Proposed Rule, National Emission Standards for Hazardous Air Pollutants: Phosphoric Acid Manufacturing](#), 19412-19418 [This action proposes to amend the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Phosphoric Acid Manufacturing source category. The proposed amendment is in response to a petition for rulemaking by an industry stakeholder on the mercury emission limit based on the maximum achievable control technology (MACT) floor for existing sources set in a rule that was finalized on August 19, 2015 (“2015 Rule”). All six of the existing calciners used to set this MACT floor were located at the PCS Phosphate Company, Inc. (“PCS Phosphate”) facility in Aurora, North Carolina (“PCS Aurora”). PCS Phosphate asserted that data received since the rule’s promulgation indicate that the MACT floor did not accurately characterize the average emission limitation achieved by the units used to set the standard. Based on these new data, the U.S. Environmental Protection Agency (EPA) proposes to revise the mercury MACT floor for existing calciners. DATES: Comments. Comments were due May 22, 2020.]

April 2, 2020, [Final Rule, Standards of Performance for New Residential Wood Heaters: New Residential Hydronic Heaters and Forced-Air Furnaces](#), 18448-18455 [In this final action, the U.S. Environmental Protection Agency (EPA) is amending the 2015 New Source Performance Standards (NSPS) for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces. This final action removes certain requirements from the rule for pellet fuel to meet certain specifications regarding density, size, and content, while retaining a provision in the rule that requires EPA-approved third-party organizations to specify minimum requirements as part of the pellet fuel certification process. Also, in this final action, the EPA is deciding not to make changes that it had proposed that would have allowed a sell-through period for Step 1-certified residential wood heating devices that are manufactured before the May 2020 compliance date to be sold at retail after that date. Finally, this preamble provides a clarification of how the “prohibited fuels” provision applies to pallets.]

Nancy Larson KS Small Business Environmental Assistance Program 5/29/2020

Recycling and Sustainable Management of Food During the Coronavirus Public Health Emergency - As many Americans spend more time at home, we are changing the way we purchase and use goods and food. There is the potential for households to generate more waste than they did before, but there is also an opportunity to focus on waste prevention, increase reuse and recycling efforts, and use food more efficiently. <https://www.epa.gov/coronavirus/recycling-and-sustainable-management-food-during-coronavirus-covid-19-public-health>

EPA Videos: [Don't Recycle PPE](#); [Recycling During the Health Crisis](#)

Submission Deadline for Comments (online submission preferred): July 6, 2020

Website – [Background Information](#); Submit Comments/Federal Register ([Notice](#))

Got e-Waste Research Insights?: The U.S. Department of Energy Advanced Research Projects Agency is soliciting input for potential future ARPA-E research programs focused on highly energy efficient conversion of e-waste into usable manufacturing materials. ARPA-E is interested e-waste management/conversion ideas across the entire supply chain of e-waste and its impact on municipal solid waste, including classification, collection, identification, sorting, and reclamation of materials. No funding available at this time, but responses may be used to inform future funding opportunities: <https://arpa-e-foa.energy.gov/Default.aspx?Search=RFI&SearchType=#FoaId527f2085-4bd1-466e-91e8-f30b5fcd5ae1> & <https://www.grants.gov/web/grants/view-opportunity.html?oppId=326668>

Deadline: Responses must be emailed to ARPA-E-RFI@hq.doe.gov by 5:00 PM EST on June 5, 2020.

California Waste Characterization Study: Like data? [California's Disposal-Facility-Based Characterization of Solid Waste in California](#) estimates the quantity and composition of the commercial, residential, and self-hauled waste streams in the state and aggregates this data to estimate the overall composition. This study also includes quantity and composition of residual processing materials from selected MRFs in California.

Cool [Arizona Department of Environmental Quality Food Storage Infographic](#) - Great work ADEQ!

ReFED COVID-19 Food Waste Solutions Fund - In response to the impacts of COVID-19 on our food system – especially the increase in wasted food that could have gone to the growing number of people facing food insecurity --[ReFED](#) launched this Fund to quickly get funds to those organizations that are able to rapidly scale their impact. The Fund is distributed its first \$1 million of grants to organizations that will drive impact of more than a total of 10 million pounds of food waste prevented or 8.3 million meals rescued. Although the first round of applications and grant awards is now closed, ReFED welcomes additional submissions to be considered for future funding rounds and will review them on a rolling basis. [Additional Information & Online Application](#)

CalRecycle Funding Opportunities: The California Department of Resources Recycling and Recovery (CalRecycle) offers funding opportunities authorized by legislation to assist public and private entities in the safe and effective management of the waste stream. [See open funding program details](#). To subscribe or unsubscribe from EPA Region 9's Zero Waste Update, please email hood.timonic@epa.gov

Rhonda Wright US EPA 5/28/2020

Hi all – we did get several requests for public hearings on the proposed wood heater amendments and we have just opened registration online. [Information about the proposal](#) is available. The hearing will be June 8, 2020 from 9 a.m. – 3 p.m. [Registration page](#) Thanks for sharing this information with interested stakeholders.

Tony Pendola NC Small Business Environmental Assistance Program 5/19/2020

Subject: [EPA Proposes to Give Up Some 'Guidance' Power That Critics Hate](#)

R Mark Stoddard IN Compliance & Technical Assistance Program 5/19/2020

The mass of guidance needed to interpret or identify that which is a requirement is proportional to the mass of regulation (volume = number of words and density = complexity). Therefore, fewer words more simply expressed or with simple and measurable outcomes equates to less need for guidance.

Nancy Larson KS Small Business Environmental Assistance Program 5/11/2020

EPA is holding a rescheduled public meeting of the Toxic Substances Control Act (TSCA) Science Advisory Committee on Chemicals (SACC) from June 8 to 11, 2020, to review the draft risk evaluation for asbestos. This public meeting will be virtual, with participation by phone and webcast only. There will be no in-person gathering for this meeting. The previously announced virtual meeting for the TSCA SACC to review the draft risk evaluation for asbestos (85 FR 18954) was postponed due to changes in the availability of members for this peer review.

The four-day meeting will be held from 10:00 a.m. to approximately 5:00 p.m. Eastern Time, June 8 to 10, 2020; and from 11:30 am to approximately 5:00 pm Eastern Time on June 11, 2020 (as needed, updated times for each day may be provided in the meeting agenda that will be [posted in the docket](#) [docket number EPA-HQ-OPPT-2019-0501] and the [TSCA SACC website](#).

You must [register online](#) to receive the webcast meeting link and audio teleconference information for participation in this meeting. You may register and participate as a listen-only attendee at any time up to the end of the meeting. Requests to make brief oral comments to the TSCA SACC during the virtual meeting should be submitted when registering online on or before noon (12:00 PM EDT) on June 2, 2020. For additional information, please contact the Designated Federal Official (DFO) for this meeting, Dr. Diana Wong at Wong.Diana-M@epa.gov.

Mark Stoddard IN Compliance & Technical Assistance Program 5/7/2020

https://map.serdp-estcp.org/Featured-Initiatives/Per-and-Polyfluoroalkyl-Substances-PFASs/pfas_efforts.pdf

Sara Johnson NH Small Business Environmental Assistance Program 5/6/2020

[The Maine Marine Environmental Guide](#) – includes applicable statutes and rules for environmental management, compliance fact sheets for each marine activity, and tools to help determine environmental regulatory thresholds. Includes PTE information.

Nancy Larson KS Small Business Environmental Assistance Program 5/5/2020

EPA will hold a virtual public meeting on May 26-29, 2020, from 10:00 a.m. to approximately 5:00 p.m. (EDT), for the Toxic Substances Control Act Science Advisory Committee on Chemicals to peer review EPA's draft risk evaluation of perchloroethylene.

The May 26-29, 2020, peer review virtual meeting is open to the public and registration is required. [Register for the peer review virtual meeting](#). If you would like to provide oral comments during the peer review virtual meeting, you must register by 12:00 p.m. (noon, EDT), on May 20, 2020. Select "attend and make a comment" when registering. You may register as a listen-only attendee at any time up to the end of the meeting. For listen-only attendees, select "listen-only" when registering.

EPA also will hold a preparatory virtual meeting on May 5, 2020, for the panel and public to comment on the clarity and scope of the draft charge questions for the May peer review meeting. [Register for the preparatory virtual meeting](#). If you would like to provide oral comments during the preparatory virtual meeting, you must register by 10:00am on May 5. Select "attend and make a comment" when registering. You may register as a listen-only attendee at any time up to the end of the meeting. For listen-only attendees, select "listen-only" when registering. These virtual meetings will be broadcast via Adobe Connect and WebEx. Additional connection information will be provided to registered participants. [More information about these meetings and links to related documents](#).

Rhonda Wright US EPA 5/5/2020

This morning, the Administrator digitally signed the final amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Manufacturing Facilities. The agency evaluated the risks remaining after fully implementing the 2003 NESHAP and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is not making significant changes to the original NESHAP for this source category as a result of the residual risk and technology review and has determined the standards continue to provide an ample margin of safety to protect public health and the environment.

EPA is finalizing a requirement to limit mercury emissions from scrap metal used in steel operations. Facilities can comply by conducting stack tests, certifying they purchase scrap from vendors participating in the National Vehicle Mercury Switch Recovery Program, or using scrap not likely to contain automobile scrap. Compliance dates for each option are the same, where facilities conducting stack tests and facilities participating in the National Vehicle Mercury Switch Recovery Program or another approved program will have one year to comply with the requirement. Compliance with the testing option has been changed from the proposed annual testing to testing approximately every 2.5 years to coincide with current required testing for particulate matter.

EPA is additionally finalizing minor amendments to the existing regulation. These final amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results, notifications of compliance status and semi-annual reports. The final amendments also provide more flexibility for monitoring requirements. These minor amendments will go into effect 180 days from promulgation. A [prepublication version of the final](#)

[amendments and a summary fact sheet](#) are available. Thanks in advance for sharing this with your stakeholders.

Rhonda Wright US EPA 5/1/2020

The PM NAAQS proposal hearing notice along with updates linking to the published version of the proposal are posted. Here's a [direct link to the hearing registration page](#). It links to the hearing notice and the regulation page. We will start registration when the hearing notice publishes. [Here's a link to the updated reg page](#). Please share this information with your key stakeholders. We expect to start registering for the hearing early next week.

Nancy Larson KS Small Business Environmental Assistance Program 4/27/2020

We will get this and other new information added to our COVID resources this week. Below, EPA clearly instructs people to never apply disinfectant to themselves or others.

EPA provides critical information to the American public about safe disinfectant use

The U.S. Environmental Protection Agency (EPA) is continuing its efforts to provide critical information on surface disinfectant products that can be used to protect the health of all Americans throughout the COVID-19 public health emergency. In support of these efforts, EPA now has nearly 400 products that have qualified to be effective against SARS-CoV-2, the virus that causes COVID-19. This week the agency also published an overview of its actions and resources related to disinfection against the novel coronavirus.

“EPA is dedicated to its mission of protecting human health and we want all Americans to have access to effective and approved surface disinfectant products,” said Alexandra Dapolito Dunn, assistant administrator of EPA’s Office of Chemical Safety and Pollution Prevention. “We also want everyone follow the directions on the product so that we can safely use registered disinfectants and provide critical protection to our families.”

When using an EPA-registered surface disinfectant, always follow the product’s directions and remember:

- Never apply the product to yourself or others. Do not ingest disinfectant products. This includes never applying any product on List N (the agency’s list of disinfectants to use against SARS-CoV-2, the virus that causes COVID-19) directly to food.
- Never mix products unless specified in the use directions. Certain combinations of chemicals will create highly toxic acids or gases.
- Wash the surface with soap and water before applying disinfectant products if the label mentions pre-cleaning.
- Follow the contact time listed for your product on [List N](#). This is the amount of time the surface must remain visibly wet to ensure efficacy against the virus. It can sometimes be several minutes.
- Wash your hands after using a disinfectant. This will minimize your exposure to the chemicals in the disinfectant and the pathogen you are trying to kill.

EPA provides additional information on disinfectant safety messages on its twitter feeds, [@EPA](#) and [@ChemSafety](#). These channels will be updated with new materials throughout the COVID-19 crisis.

EPA is also continuing to add additional chemicals to its list of common inert ingredients. These actions are intended to help address supply chain issues for EPA-registered disinfectants and other pesticides. It allows manufacturers of already-registered EPA products to change the source of listed inert ingredients. To learn more about disinfectant safety, see [this guide from our partner, the National Pesticide Information Center, about using disinfectants to control COVID-19](#).

Mark Stoddard IN Compliance & Technical Assistance Program 4/24/2020

Virtual Earth Day and YouTube Channel – Several members of the IDEM OPS (Office of Program Support) team for stepping out of their comfort zones to record [Earth Day messages via video](#) (in their homes and backyards).

Nancy Larson KS Small Business Environmental Assistance Program 4/22/2020

It is the 50th Anniversary of Earth Day and if you are celebrating, we want to encourage you to share! Consider involving your families, maybe make a short Earth Day video on your phone, then share it with us! [New Hampshire](#) @NHDES has shared several video on Twitter via their “OneThing4Earth” Challenge and we have compiled a playlist of [Earth Day videos on our National SBEAP YouTube channel](#), but would like to include more.

Jenifer Dixon MI Small Business Environmental Assistance Program 4/22/2020

In the honor of Earth Day, [EGLE staff did a little video playlist](#).

R Donovan Grimwood NH Small Business Environmental Assistance Program 4/22/2020

Our Office of Policy and Sustainable Practices [posted a few](#) on the TDEC Facebook.

Tony Pendola NC Small Business Environmental Assistance Program 4/22/2020

Requests I have made to EPA regarding Ultra Low Sulfur Diesel = 15 ppm and simplifying the procedure to ask for a summer gasoline relaxation of the 7.8 psi standard are now included in the [fuel streamlining proposed rule](#) if any state cares to comment on them.

§1090.280 Procedures for relaxing the federal 7.8 psi RVP standard.

§1090.305 ULSD standards.

(a) Except as specified in §1090.300(a)(1) and (2), diesel fuel must meet the ULSD per gallon standards of this section.

(b) Sulfur standard. Maximum sulfur content of 15 ppm.

Rhonda Wright US EPA 4/17/2020

The afternoon of April 16th the Administrator signed a reconsideration of the appropriate and necessary finding for the Mercury and Air Toxics Standards, correcting flaws in the 2016 supplemental cost finding while ensuring that power plants will emit no more mercury to the air than before. After primarily considering compliance costs relative to the HAP benefits of MATS, EPA is concluding that it is not "appropriate and necessary" to regulate electric utility steam generating units under section 112 of the Clean Air Act (CAA).

EPA is also took final action on the residual risk and technology review (RTR) that is required by CAA section 112. The results from the RTR show that emissions of HAP have been reduced such that residual risk is at acceptable levels, that there are no developments in HAP emissions controls to achieve further cost-effective reductions beyond the current standards, and, therefore, no changes to the MATS rule are warranted. The [final rule and a summary fact sheet along with our cost benefit memo](#) are available on the web. Please share with your key stakeholders.

Paula Hoag EPA Office of Small Business Programs 4/14/2020

I would like to bring to your attention EPA’s recent publication on the Draft Risk Evaluation for Asbestos. ASBO’s newest team member, Lea Carmichael, brings a wealth of knowledge on this topic to our group; she prepared additional information and resources for you below. Your feedback is valuable to the agency. Please review and submit your comments by April 22, 2020 - Docket ID EPA-HQ-OPPT-2019-0501-0001

Draft Risk Evaluation Findings

To prepare a draft risk evaluation, EPA reviews extensive scientific literature, conducts modeling and other risk assessment activities, and collects exposure, fate, and transport information from many sources. EPA looks at how the chemical is used today, what we know about the chemical’s fate, transport, and toxicity, and whether the chemical’s relevant conditions of use could pose an unreasonable risk of injury to human health or the environment. In the March 2020 draft risk evaluation, EPA reviewed a suite of potential asbestos exposures and made the following initial determinations on risk. These preliminary

determinations may change as EPA's evaluation becomes more refined through the public comment and peer review processes.

- EPA did not find risk to the environment. For all the conditions of use included in the draft risk evaluation, EPA has preliminarily found no unreasonable risks to the environment under any of the conditions of use.
- EPA's draft risk evaluation preliminarily found unreasonable risk to workers, occupational non-users, consumers and bystanders. EPA found that workers, occupational non-users, consumers, and bystanders could be adversely affected by asbestos under certain conditions of use. These initial determinations are based on a draft risk evaluation of the reasonably available information and are not EPA's final determinations on whether this chemical presents unreasonable risks under the conditions of use. The agency will use feedback received from the public comment and peer review processes to inform the final risk determinations.
- This draft risk evaluation and the initial risk determinations are not a final action. This draft represents the agency's preliminary conclusions, findings, and determinations on asbestos and will be peer reviewed by independent scientific experts. The draft risk evaluation includes input from other EPA offices as well as other federal agencies.

The public comment period on the Draft Risk Evaluations for Asbestos ends on or before June 2, 2020; however, comments must be received by April 22, 2020 to be considered prior to the Science Advisory Committee on Chemicals (SACC) meeting on April 27-30, 2020. Please submit comments in [regulations.gov](https://www.regulations.gov) to Docket ID EPA-HQ-OPPT-2019-0501-0001. For more details about the SACC meeting and how to potentially participate please see Nancy Larson's email from last week (below).

[Additional information](#)

Nancy Larson KS Small Business Environmental Assistance Program 4/9/2020

EPA will hold a virtual public meeting on April 27-30, 2020, from 10:00 a.m. to approximately 5:00 p.m. (EDT), for the Toxic Substances Control Act Science Advisory Committee on Chemicals to peer review EPA's draft risk evaluation of asbestos. The April 27-30, 2020, peer review virtual meeting is open to the public and registration is required. [Register for the peer review virtual meeting](#). If you would like to provide oral comments during the peer review virtual meeting, you must register by 12:00 p.m. (noon, EDT), on April 22, 2020. Select "attend and make a comment" when registering. You may register as a listen-only attendee at any time up to the end of the meeting. For listen-only attendees, select "listen-only" when registering. The peer review virtual public meeting will be broadcast via WebEx. Links for each day and additional connection information will be provided to registered participants. [More information about this meeting and links to related documents](#).

Rhonda Wright US EPA 4/9/2020

This afternoon the Administrator digitally signed the final rule: Mercury and Air Toxics Standards: Final Subcategory of Certain Existing Electric Utility Steam Generating Units That Fire Coal Refuse.

After evaluating information on the acid gas hazardous air pollutant emissions from electric utility steam generating units (EGUs) that burn eastern bituminous coal refuse (EBCR), EPA has established a new subcategory in the Mercury and Air Toxics Standards for these units. Coal refuse includes low-quality coal mixed with rock, clay and other material. It is usually piled near coal mines.

EPA also is establishing emission standards for these facilities to control acid gas hazardous air pollutant emissions. The new subcategory and emission standards will affect six existing EGUs that burn EBCR. All are small units operating in Pennsylvania or West Virginia. As a result of this final rule, EPA does not expect emissions to increase above current levels. [A pre-publication version of the notice and a summary fact sheet](#) are available. Thanks in advance for sharing this information with you key contacts.

Sara Johnson NH Small Business Environmental Assistance Program 4/7/2020

I [helped produce and direct this video](#). It is the 2nd in the series of Reducing Toxins in Your Home.

We are writing new scripts while we are working remotely and hope to start filming again later this year.
[To find other NHDES videos.](#)

Tony Pendola NC Small Business Environmental Assistance Program 4/6/2020

This is [new hyper-focused respirator guidance from OSHA](#) that is particularly important to the autobody and other coating/sanding industry sectors. As such, I suggest we try to find a place on all of our websites to put this and/or send out via our email distribution lists. PS – The free GMG Envirosafe training are worth checking out also.

R Nancy Larson KS Small Business Environmental Assistance Program 4/6/2020

Makes sense for this industry and others that use these masks that are in high demand at our medical facilities. We can put this on our COVID and auto body pages.

Nancy Larson KS Small Business Environmental Assistance Program 3/31/2020

EPA Publishes Mercury Inventory Report, Enhances Transparency of Data on Supply, Use and Trade Today, EPA published the 2020 Mercury Inventory Report on the supply, use, and trade of mercury in the United States in advance of the April 1, 2020 statutory deadline. As the agency celebrates advancements in chemical safety during the month of March as part of EPA's 50th anniversary, this action marks the completion of another important milestone under the Lautenberg Act amendments to the Toxic Substances Control Act (TSCA) and an important step to increase the transparency of data on mercury supply, use and trade.

This report presents aggregated data submitted on imported mercury, mercury manufactured in the United States, imported mercury-added products, mercury-added products made in the United States, and mercury used in manufacturing processes. The inventory report also provides a broad view of U.S. mercury stored, sold, and exported, as well as industry sectors and countries involved in the supply, use, and trade of mercury.

The 2020 Mercury Inventory Report is the first inventory published after finalizing the mercury inventory reporting rule. This means that the data presented in the report comes directly from the companies that are using, manufacturing, or importing mercury, providing EPA and the public with more reliable and complete information on the supply, use, and trade of mercury in the United States. The initial 2017 inventory, on the other hand, was limited to only publicly available data. In addition, this report incorporates data from contextual reporting requirements, which results in more extensive information on the industries that purchase mercury-added products, countries of origin and destination for imports and exports, and the specific ways that mercury is used in certain manufacturing processes.

Highlights of the report include:

- No indication of imports or exports of elemental mercury into or out of the United States during the reporting year.
- Continuation of the overall steady decline in the use of mercury in products, indicative of the growing presence and use of effective alternatives.
- A decrease in the amount of mercury used in switches and relays manufactured in or imported into the United States—data submitted also fills a significant information gap.
- Only a single mercury-based manufacturing process identified as ongoing in the United States.
- Information relevant for U.S. implementation of the Minamata Convention on Mercury.

[Read the inventory report.](#)

Background

The publication of the 2020 Mercury Inventory Report adds to a suite of completed mandates related to elemental mercury and mercury compounds per the Lautenberg Act amendments to the TSCA.

- In August 2016, EPA released a list of five mercury compounds that are prohibited from export effective January 1, 2020.
- In March 2017, EPA published the initial inventory report of mercury supply, use, and trade in the United States.

- In June 2018, EPA published the mercury inventory reporting rule, which established the reporting requirements that will support the 2020 and subsequent, triennial inventories.

Paula Hoag EPA Office of Small Business Programs 3/31/2020

Yesterday, the Environmental Protection Agency (EPA) proposed to amend the 2015 National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Phosphoric Acid Manufacturing. On September 6, 2016, PCS Phosphates (now Nutrien) petitioned EPA to review the 2015 NESHAP based on newly available data. Following analysis of the petitioner's data, EPA is proposing to revise the mercury standard for calciners in the Phosphoric Acid Manufacturing NESHAP. The proposed amendment will revise the mercury MACT floor for existing calciners from 0.14 milligrams (mg) per dry standard cubic meter (dscm) at 3 percent oxygen to 0.23 mg/dscm at 3 percent oxygen. The proposed amendment fulfills EPA's statutory requirements under the Clean Air Act, while maintaining the intent of the emission and operational standards of the 2015 NESHAP. EPA will accept comment on the proposed amendment for 45 days after publication in the *Federal Register*. [A prepublication version of the proposed amendment and a summary fact sheet are available.](#)

Paula Hoag EPA Office of Small Business Programs 3/27/2020

EPA Announces Enforcement Discretion Policy for COVID-19 Pandemic

WASHINGTON (March 26, 2020) — The U.S. Environmental Protection Agency (EPA) is mindful of the health and safety of the public, as well as our staff, and those of Federal Agencies, State and Local Governments, Tribes, Regulated Entities, Contractors, and Non-governmental Organizations during the COVID-19 pandemic. The agency is taking these important considerations into account as we all continue our work to protect human health and the environment. Accordingly, EPA is announcing a temporary policy regarding EPA enforcement of environmental legal obligations during the COVID-19 pandemic. EPA's temporary enforcement discretion policy applies to civil violations during the COVID-19 outbreak. The policy addresses different categories of noncompliance differently. For example, under the policy EPA does not expect to seek penalties for noncompliance with routine monitoring and reporting obligations that are the result of the COVID-19 pandemic but does expect operators of public water systems to continue to ensure the safety of our drinking water supplies. The policy also describes the steps that regulated facilities should take to qualify for enforcement discretion.

"EPA is committed to protecting human health and the environment, but recognizes challenges resulting from efforts to protect workers and the public from COVID-19 may directly impact the ability of regulated facilities to meet all federal regulatory requirements," **said EPA Administrator Andrew Wheeler**. "This temporary policy is designed to provide enforcement discretion under the current, extraordinary conditions, while ensuring facility operations continue to protect human health and the environment."

The temporary policy makes it clear that EPA expects regulated facilities to comply with regulatory requirements, where reasonably practicable, and to return to compliance as quickly as possible. To be eligible for enforcement discretion, the policy also requires facilities to document decisions made to prevent or mitigate noncompliance and demonstrate how the noncompliance was caused by the COVID-19 pandemic.

This policy does not provide leniency for intentional criminal violations of law.

The policy does not apply to activities that are carried out under Superfund and RCRA Corrective Action enforcement instruments. EPA will address these matters in separate communications.

EPA's policy will apply retroactively beginning on March 13, 2020. EPA will assess the continued need for and scope of this temporary policy on a regular basis and will update it if EPA determines modifications are necessary. In order to provide fair and sufficient notice to the public, EPA will post a notification [here](#) at least 7 days prior to terminating this temporary policy.

[EPA Policy on Enforcement during the COVID-19 outbreak](#)

Members of the public can help protect our environment by identifying and reporting environmental violations. Learn more [here](#).

R Paula Hoag EPA Office of Small Business Programs 3/31/2020

Although I sent out a synopsis of this temporary policy last week, I wanted to be sure everyone has a chance to read the actual memo regarding OECA's new temporary policy on [Enforcement Discretion Related to COVID-19](#). I will do my best to forward additional EPA COVID-19 response information, as it comes out, and/or provide it in our upcoming April bulletin. As always, please feel free to contact me should you have any questions or concerns. Stay well!

Nancy Larson KS Small Business Environmental Assistance Program 3/26/2020

From R7, but pretty sure it most regions are taking this approach.

(Lenexa, Kan., March 26, 2020) – The U.S. Environmental Protection Agency (EPA) is mindful of the health and safety of the public, as well as our staff, and those of Federal Agencies, State and Local Governments, Tribes, Regulated Entities, Contractors, and Non-governmental Organizations during the COVID-19 pandemic. The agency is taking these important considerations into account as we all continue our work to protect human health and the environment. Accordingly, EPA is announcing a temporary policy regarding EPA enforcement of environmental legal obligations during the COVID-19 pandemic. EPA's temporary enforcement discretion policy applies to civil violations during the COVID-19 outbreak. The policy addresses different categories of noncompliance differently. For example, under the policy EPA does not expect to seek penalties for noncompliance with routine monitoring and reporting obligations that are the result of the COVID-19 pandemic but does expect operators of public water systems to continue to ensure the safety of our drinking water supplies. The policy also describes the steps that regulated facilities should take to qualify for enforcement discretion.

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[EPA Policy on Enforcement during the COVID-19 outbreak](#).

Members of the public can help protect our environment by identifying and reporting environmental violations. Learn more [here](#).

Rhonda Wright US EPA 3/25/2020

EPA is providing an opportunity for interested stakeholders to review and comment on the draft guidance titled, *Interpretation of "Begin Actual Construction" Under the New Source Review Preconstruction Permitting Regulations*. In this draft guidance, EPA is adopting a revised interpretation of "begin actual construction" that is more consistent with the permitting regulatory text. Under this revised interpretation, a source owner or operator may, prior to obtaining a New Source Review permit, undertake physical on-site activities – including activities that may be costly, that may significantly alter the site, and/or are

permanent in nature – provided that those activities do not constitute physical construction on an emissions unit. EPA will accept draft guidance comment through May 11, 2020. The draft guidance, and a link for submitting comments, is [available](#).

Paula Hoag EPA Office of Small Business Programs 3/24/2020

SBA now has a [website up about how small businesses can access assistance and loans due to Coronavirus \(COVID19\)](#). I imagine this will be updated more as funding and resources present themselves over the coming weeks. This may be of interest to the small businesses you work with. Please pass on!

R Donovan Grimwood TN Small Business Environmental Assistance Program 3/24/2020

In TN, just this morning, we sent out our [Spring Newsletter](#) that had several resources at the State or Federal level. I believe we included this one, but it is a great idea to share resources, even if they are outside of the environmental field, to our small business contacts.

Sara Johnson NH Small Business Environmental Assistance Program 3/24/2020

NHDES Launches #OneThing4Earth Video Challenge to Recognize 50th Anniversary of Earth Day, April 22, 2020

Concord, NH – The New Hampshire Department of Environmental Services (NHDES) today launched the #OneThing4Earth Video Challenge to help recognize the 50th Anniversary of Earth Day, which will be April 22, 2020. The purpose of the challenge is for people to record a short video or take photos of themselves doing one thing that is good for the earth, then in the video, challenge their family, friends and others to do their own video. People who accept the challenge should post the videos on any or all of their social media platforms (Instagram, Facebook, or Twitter) and use the hashtag #OneThing4Earth and tag NHDES.

NHDES Commissioner Bob Scott started the challenge by posting his [video](#) of his home compost pile and challenging his entire staff to post their videos. “In honor of the 50th anniversary of Earth Day on April 22, I am starting the #OneThing4Earth video challenge by sharing with you something that I do that is good for the environment,” said Bob Scott, NHDES Commissioner. “Although the world is rightfully focused the coronavirus pandemic, I think it is important that we recognize Earth Day, and by participating in the #OneThing4Earth video challenge, we can share with each other all of the important little things that we all do every day to help our environment.”

The worldwide response to the coronavirus pandemic is and should be all of our priorities. NHDES hopes that a social media-based video challenge, like the #OneThing4Earth, will provide people practicing social distancing with a way to recognize the importance of Earth Day. You do not have to be challenged to participate, but remember in your video to challenge your friends, family, coworkers and others to join in. For more information on the #OneThing4Earth video challenge, contact Jim Martin, NHDES Public Information Officer, at james.martin@des.nh.gov or (603) 271-3710.

NHDES has the following social media handles:

Instagram: @nhenvironmentalservices

Facebook: @NHEnvironmentalServices

Twitter: @NHDES

Lynelle Ladd KS Small Business Environmental Assistance Program 3/17/2020

NEW: SBA Guidance for Small Businesses Affected by COVID-19

Health and government officials are working together to maintain the safety, security, and health of the American people. Small businesses are encouraged to do their part to keep their employees, customers, and themselves healthy.

- [Read a statement](#) from Administrator Jovita Carranza about SBA's plan to help the nation's small businesses.
- Learn about [the Economic Injury Disaster Loan program](#), which provides working capital loans to small businesses to help overcome the temporary loss of revenue.
- [Review guidance](#) from the CDC on protecting employees and customers.

Rhonda Wright US EPA 3/13/2020

Subject: Two Additional Actions Signed on March 12: Final Amendments for Ethylene Production and Organic Liquids Distribution

Late last night the Administrator signed the last of the RTRs with a March 13th deadline! A big thanks to all involved in getting these across the finish line. Please share the following information with your key contacts. Thanks in advance and have a fabulous weekend!

Final Amendments: Air Toxics Standards for Ethylene Production - Risk and Technology Review

EPA is finalizing amendments to the 2002 Ethylene Production National Emission Standard for Hazardous Air Pollutants (NESHAP). EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Ethylene Production source category are acceptable and that the standards provide an ample margin of safety to protect public health and the environment. In addition, the agency identified cost-effective developments in practices, processes or control technologies for heat exchange systems that would further reduce emissions of hazardous air pollutants.

EPA is also finalizing amendments for flares, pressure relief device releases, the decoking of ethylene cracking furnaces, and storage vessel degassing operations and clarifying that the standards are applicable during periods of startup, shutdown and malfunction. This proposal also includes electronic reporting of compliance reports and performance test results and reports. These amendments are being finalized to go into effect upon an affected source's initial startup or within three years from promulgation, whichever is later. [A prepublication version of the final rule and a summary fact sheet are available.](#)

Final Amendments: Air Toxics Standards for Organic Liquids Distribution - Risk and Technology Review

EPA finalized amendments to the 2004 Organic Liquids Distribution (Non-Gasoline) National Emission Standards for Hazardous Air Pollutants (NESHAP). EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Organic Liquids Distribution (Non-Gasoline) source category are acceptable. In addition, the agency has identified new, cost-effective developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants and is finalizing amendments to the requirements for storage tanks.

EPA also finalized minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown, and malfunction; require electronic reporting of performance test results; finalize new operational requirements for flares used as control devices; the retention of a standard, the removal of an exemption for pressure relief devices; the adoption of a work practice standard for tank degassing; and minor rule clarifications. [A prepublication version of the final rule and a summary fact sheet are available.](#)

Rhonda Wright US EPA 3/12/2020

Subject: Final Rule: Site Remediation Risk and Technology Review

Today, EPA finalized the risk and technology review conducted for Site Remediation. EPA evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Site Remediation and determined that risks from this source category are acceptable. The agency is amending the NESHAP with a lower leak threshold for valves and pumps as a

cost-effective technology improvement. EPA is also clarifying that the standards are applicable during periods of startup, shutdown and malfunction, and requiring electronic reporting of performance test results. [More information, including a fact sheet and pre-publication version of the final rule](#)

Rhonda Wright US EPA 3/12/2020

Subject: Final Rule: Hydrochloric Acid Production Risk and Technology Review

Today, EPA finalized the risk and technology review conducted for Hydrochloric Acid Production. The agency evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Production and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is not making significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment.

EPA is finalizing only minor amendments to the existing regulation. These amendments include a requirement for electronic reporting of performance test results and revisions of the requirements for periods of startup, shutdown and malfunction to clarify that standards apply at all times to be consistent with a 2008 court decision and includes the addition of a work practice requirement for planned periods of vent maintenance. [More information, including a fact sheet and pre-publication version of the final rule](#)

Annette Fulgenzi IL Small Business Environmental Assistance Program 3/12/2020

Sorry for any cross postings but thought I would share in case you have any clients who manufacturer disinfectants that are effective against COVID-19 and want to make those claims.

EPA Expediting Emerging Viral Pathogens Claim Submissions

WASHINGTON — Today, the U.S. Environmental Protection Agency (EPA) notified registrants of disinfectants that due to the outbreak of the novel coronavirus, SARS-CoV-2, the cause of COVID-19, the agency is expediting the review of submissions from companies requesting to add [Emerging Viral Pathogens claims](#) to their already-registered surface disinfectant labels.

“Today’s action will help move disinfectants that are effective against the novel coronavirus to the market more quickly, without diminishing the scope of the review to ensure safety and quality of the product,” said **EPA Administrator Andrew Wheeler**. “By prioritizing these reviews, we are ensuring that Americans will have access to all approved and market available surface disinfectant products.”

At this time, only claims for already-registered surface disinfectant products that **do not require review of new efficacy data** are being expedited. In addition, registrants should not include other label changes typically covered under amendments and notifications as part of the submission to add Emerging Viral Pathogen claims.

To ensure the efficient processing of submissions, EPA is requesting information from the registrants, including:

- a description of how the product meets the eligibility criteria for use against one or more categories of viral pathogens consistent with the guidance; and,
- the identification of the virus(es) from the product label that it is using to support the emerging viral pathogen claims and the study ID number (MRID) that supports the claim.

[Additional information on already-registered surface disinfectants for use against COVID-19](#)
[Additional information for registrants requesting expedited review](#)

Rhonda Wright US EPA 3/12/2020

Subject: Two Additional Actions Signed on March 11th

The following two actions were signed late last night. Please share this information with your key contacts. Thanks in advance!

Final Amendments: Cellulose Products Manufacturing Risk and Technology Review

EPA is finalizing minor amendments to the 2002 Cellulose Products Manufacturing National Emission Standard for Hazardous Air Pollutants (NESHAP). The EPA has evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Cellulose Ethers Production source category and Miscellaneous Viscose Processes source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing no significant changes to the original NESHAP for these source categories as a result of the residual risk and technology review and has determined the standards continue to provide an ample margin of safety to protect public health and the environment.

EPA is also finalizing minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction; require periodic emissions testing; and require electronic reporting of compliance reports, notifications, and performance test results. These amendments will also provide more flexibility for monitoring requirements. These minor amendments go into effect 180 days from promulgation. [A prepublication version of the final rule and a summary fact sheet are available.](#)

Final Amendments: Air Toxics Standards for Paper and Other Web Coating - Risk and Technology Review

EPA finalized minor amendments to the 2002 Paper and Other Web Coating (POWC) National Emission Standards for Hazardous Air Pollutants (NESHAP). EPA evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the POWC source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. The EPA finalized no significant changes to the original NESHAP for these source categories as a result of the RTR and has determined the standards continue to provide an ample margin of safety to protect public health and the environment.

The EPA also finalized minor amendments to the existing regulation. These proposed amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction (SSM); require periodic emissions testing; and require electronic reporting of compliance reports, notifications and performance test results. The proposed amendments also provide more flexibility for monitoring requirements and provide regulatory clarity. These minor amendments are proposed to go into effect 365 days from promulgation. [A prepublication version of the final rule and a summary fact sheet are available.](#)

Rhonda Wright US EPA 3/11/2020

Subject: Final Rule: Standards of Performance for New Residential Wood Heaters, Hydronic Heaters and Forced-Air Furnaces

On March 11, 2020, the United States Environmental Protection Agency (EPA) finalized amendments to the 2015 New Source Performance Standards (NSPS) for New Residential Wood Heaters, New Hydronic Heaters and Forced-Air Furnaces (collectively referred to as “wood heating devices”). These final amendments contain several actions:

- EPA is maintaining compliance dates that were established in the original NSPS, which means retailers will have until May 15, 2020, to sell wood heating devices that do not comply with more stringent emission standards.
- EPA is removing the pellet fuel minimum requirements from the 2015 NSPS. However, the agency is retaining the prohibition – stated in the eighth pellet fuel minimum requirement – that pellet fuel must not contain any of the prohibited fuels listed in the 2015 NSPS. Minimum requirements are already included in the standards used by the Pellet Fuels Institute and other EPA-approved third-parties for the grading of pellet fuels.
- EPA is clarifying requirement regarding the use of unseasoned wood in pellet fuel production.

This final action helps ensure that, in the future, customers buying wood heaters anywhere in the United States will be able to choose from cleaner-burning models. Today's actions do not apply to wood heaters that are currently in use in people's homes, or to fireplaces, backyard barbecues, chimineas, or fire pits.

EPA continues to work with states, industry and other stakeholders to more accurately account for air emissions from wood burning devices. Since the 2015 rule was issued, EPA believes that current testing requirements may lead wood heater manufacturers to design appliances that do not reflect their actual use – and that may not achieve the environmental benefits contemplated in the rule. The 2015 rule is based on tests that burn standardized configurations of lumber, rather than tests that burn logs – the type of wood a typical homeowner would burn for heat. EPA is conducting a series of discussions with key stakeholders about improving the air emissions testing and operational procedures for these devices. [More information, including a pre-publication version of the final rule and fact sheet](#)

Rhonda Wright US EPA 3/11/2020

Subject: Two OAQPS Actions Signed on March 11th

Final Amendments: Air Toxics Standards for Surface Coating of Automobiles and Light-Duty Trucks; Surface Coating for Miscellaneous Metal Parts and Products; Surface Coating of Plastic Parts and Products; Surface Coating of Large Appliances: Printing, Coating and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture - Risk and Technology Review

EPA evaluated the risks remaining after fully implementing the 2004 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Surface Coating of Automobiles and Light-Duty Trucks; Surface Coating of Miscellaneous Metal Parts and Products; and Surface Coating of Plastic Parts and Products facilities and determined that risks from these source categories are acceptable. In addition, the agency identified no cost-effective developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing no significant changes to the original NESHAP for these source categories and has determined the standards continue to provide an ample margin of safety to public health and the environment.

EPA is finalizing minor amendments to the existing regulations. These final amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction, require 5-year performance testing for facilities with add-on controls and require electronic reporting of performance test results. The final rule also makes technical corrections to the NESHAP for Surface Coating of Metal Furniture; Surface Coating of Large Appliances; and Printing, Coating, and Dyeing of Fabrics and Other Textiles. EPA is finalizing minor amendments to the existing regulations. These final amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction, require 5-year performance testing for facilities with add-on controls and require electronic reporting of performance test results. The final rule also makes technical corrections to the NESHAP for Surface Coating of Metal Furniture; Surface Coating of Large Appliances; and Printing, Coating, and Dyeing of Fabrics and Other Textiles. [A prepublication version of the final rule and a summary fact sheet are available.](#)

Final Amendments: Air Toxics Standards for Engine Test Cells/Standards Risk and Technology Review

EPA evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Engine Test Cells/Standards and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is not making significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment. EPA is finalizing only minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results. [A prepublication version of the final rule and a summary fact sheet are available.](#)

Rhonda Wright US EPA 3/10/2020

Subject: Municipal Solid Waste Landfills Emission Guidelines - Notice of Finding of Failure to Submit State Plans

Today we issued a finding identifying 42 states and territories that failed to submit, for EPA's review and approval, plans to implement the 2016 Emission Guidelines (EG) for Municipal Solid Waste (MSW) Landfills. States had until August 29, 2019, to submit their plans for adopting the Landfills EG. EPA has received 11 state plan submissions and eight have been approved or partially approved. EPA is currently reviewing three plans submitted since August 1, 2019, and has also received three negative declaration letters, which are also currently under review. In addition, publication of this notice triggers an obligation for EPA to promulgate a final federal plan within 2 years (by March 1, 2022). This future federal plan would apply to any of the states listed in the finding that do not submit approvable state plans before the promulgation of the federal plan. Contrary to the process carried out under Clean Air Act section 110 plans, this finding does not establish sanctions for states that have failed to submit state plans. [You can access a pre-publication version of the notice.](#)

Nancy Larson KS Small Business Environmental Assistance Program 3/2/2020

This document targets small business and was originally published last fall. It is now available in several different languages. We have it linked on our environmental compliance page and on our hazardous waste resource page.

Small Business Guide - *Managing Your Hazardous Waste: A Guide for Small Businesses* :

- We've recently uploaded multiple translated versions of the document to the [main landing page](#).
- The guide is now available in Chinese (simplified and traditional), Korean, Russian, Spanish, Vietnamese, and Tagalog.
- We also added some language to the landing page to clarify that the provisions in the Generator Improvements Rule are not yet available in some states.

Paula Hoag EPA Office of Small Business Programs 2/28/2020

On October 9, 2019, President Trump signed [Executive Order 13891, "Promoting the Rule of Law Through Improved Agency Guidance Documents."](#) Among other things, the Executive Order directs federal agencies to make active guidance documents available via an online guidance document portal. On October 31, 2019, the [Office of Management and Budget \(OMB\) issued implementing guidance M-20-02 \(PDF\)](#), which set deadlines and related information for establishing the searchable, indexed online database for all active guidance documents. "EPA has followed through on President Trump's direction to streamline and improve the transparency of regulatory guidance issued by the agency," **said EPA Administrator Andrew Wheeler**. "This new online database is a major milestone in government transparency. Never before has the American public had access to all of the Agency's guidance documents. This initiative spearheaded by President Trump will finally provide sunlight to agency decisions." [This website provides links to all of EPA's active guidance documents.](#)

Sara Johnson NH Small Business Environmental Assistance Program 2/28/2020

New Federal Requirements for PFAS

The recently passed federal National Defense Authorization Act (NDAA) includes new provisions adding 172 longer chain per- and poly fluoroalkyl substances (PFAS) and GenX chemicals to the Toxics Release Inventory (TRI). Under the NDAA, the reporting threshold on these substances will be 100 pounds, effective reporting year 2020 (Form Rs are due July 1, 2021). Under the NDAA, within five years the EPA needs to revisit this threshold, and in two years consider the addition of other substances that are shorter chain as well as other ethers. [Learn more about the TRI additions.](#) Additionally, these TRI additions will be covered in the PFAS Chemicals session at the April Continuing Education Conference, along with the recent work the [Science Advisory Board \(SAB\) has done on PFAS.](#) The work the SAB has done will also be covered at the Northeast Conference on the Science of PFAS noted below.

PFAS Chemicals in Artificial Turf Fact Sheet

To help communities understand recent research that has detected the presence of PFAS in artificial turf carpet, TURI developed a fact sheet. The function of PFAS in turf is not fully understood, but may serve as an extrusion agent during the production of the plastic grass blades. The fact sheet provides basic background information on PFAS and on recent testing methods used to detect these chemicals in artificial turf.

[Download the PFAS in Artificial Turf Carpet fact sheet.](#)

Frequently Asked Questions About Artificial Turf

TURI staff receives many questions about chemicals found in artificial turf infill, in particular about infill made with tire crumb. We've developed [reports, videos, and case studies](#), and now we have another resource that will help communities make informed decisions - [Frequently Asked Questions](#).

Videos Feature Company Successes

Siemens Healthineers Finds a Safer Surfactant

Siemens Healthineers collaborated with UMass Lowell researchers to find a safer surfactant for diagnostic devices. TURI awarded a grant to UMass Lowell researchers to partner with Siemens on the project.

Lytron Reduces TCE Emissions by 6,000 Pounds

Alan Smith of Lytron describes how he used TURI's laboratory testing services to evaluate the effectiveness of non-TCE solutions that worked in a vacuum degreaser to remove lubricating oils from aluminum flat and fin parts.

Massachusetts Companies & Communities Reduce Toxics

Companies and communities describe how they've reduced toxic chemical use with the help of TURI's services.

To see more videos, visit our YouTube page.

Rhonda Wright US EPA 2/26/2020

Subject: Three OAQPS Actions Signed on February 25th

Please share the following information with your key contacts. Thanks in advance!

Municipal Solid Waste Landfills RTR Final Rule

The U.S. Environmental Protection Agency (EPA) has evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants (HAP). EPA is finalizing no significant changes to the original NESHAP for this source category and has determined that the standards continue to provide an ample margin of safety to public health and the environment. EPA is finalizing several minor amendments to the existing regulation that will improve clarity, compliance and implementation of the rule. Final revisions include overall NESHAP reorganization to reduce overlapping applicability and to promote consistency with the 1996 and 2016 New Source Performance Standards (NSPS) and Emission Guidelines (EG); regulatory text for the 2016 NSPS/EG that allows landfills to demonstrate compliance by "opting in" to the major compliance provisions of the NESHAP; revisions to wellhead standards and associated monitoring and corrective action procedures; electronic reporting; and updated language to clarify that the standards are applicable during periods of startup, shutdown and malfunction as well as a work practice standard for time periods when a landfill's gas collection and control system is not operating. Aligning the requirements of the NSPS/EG and the NESHAP will allow facilities to streamline their compliance and reporting. [A pre-publication version of the final rule and a summary fact sheet are available.](#)

Boat Manufacturing and Reinforced Plastic Composites Production RTR Final Rule

On February 25, 2020, the U.S. Environmental Protection Agency (EPA) finalized minor amendments to the 2001 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing

and the 2003 NESHAP for Reinforced Plastic Composites Production. EPA has evaluated the risks remaining after fully implementing the NESHAP for Boat Manufacturing and Reinforced Plastic Composites Production and determined that risks from these source categories are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is not making significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment. EPA is finalizing only minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results. [A pre-publication version of the final rule and a summary fact sheet are available.](#)

Solvent Extraction for Vegetable Oil Production RTR Final Rule

On February 25, 2020, the United States Environmental Protection Agency (EPA) finalized minor amendments to the 2001 Solvent Extraction for Vegetable Oil Production National Emission Standard for Hazardous Air pollutants (NESHAP). EPA conducted a NESHAP risk and technology review, which is periodically required by the Clean Air Act. The agency determined that risks for this source category are acceptable and identified no improvements in technologies, processes or practices that would result in further emission reductions. The current standards continue to protect public health with an ample margin of safety. This final action clarifies that the standards are applicable during periods of startup, shutdown and malfunctions. It will also improve monitoring, compliance and implementation. [A pre-publication version of the final rule and a summary fact sheet are available.](#)

Paula Hoag EPA Office of Small Business Programs 2/23/2020

FYI-Great information from SBA on services available to Small Businesses around the country. Innovation is coming to a city near you! SBA recently announced the launch of its 17-state SBIR Road Tour. The Road Tour will stop at cities in the Southeast, Midwest, Rockies and the Central South. The tour will connect entrepreneurs working on advanced technology to one of the country's largest source of early stage funding – the Small Business Innovation Research and Small Business Technology Transfer programs. Check out the dates and locations for 2020 [here](#). [Learn more](#)

Grow Your Business Through Federal Government Contracting

By Val Coleman, Office of Government Contracting

Of the more than \$500 billion in contracts awarded every year, the federal government has a goal to set aside 23 percent for small businesses. This represents a big growth opportunity for small businesses across the country. Find out how to get started with government contracting [here](#). [Learn more](#)

Fund Your Small Business

Did you know you can get anything from \$500 to \$5.5 million to fund your business through SBA-backed loans? These programs help small business owners and entrepreneurs who are creditworthy but don't qualify for conventional financing. If you can't get a loan with reasonable rates and terms, contact your local SBA Lender to see if you are eligible. Get matched with an SBA Lender [here](#). [Learn more](#)

Get Inspired: Small Business Success Story

After receiving a degree in Civil Engineering Structures from the University of Michigan and successful stints at several engineering companies in metro Detroit, Tarolyn Buckles established Onyx Enterprise, Inc. Since then, the company has grown with help from SBA programs like the Emerging Leaders initiative. [Learn more](#)

Find Local Business Assistance

No matter your industry, location or experience, if you have a dream, the SBA is here to help you achieve it. SBA Resource Partners offer mentoring, counseling, and training to help you startup and thrive at all stages of the business life cycle.

Learn about the different resource partners and find one near you [here](#). [Learn more](#)

Rhonda Wright US EPA 2/18/2020

DRAFT Guidance for Ozone and Fine Particulate Matter Permit Modeling

EPA is providing an opportunity for interested stakeholders to review and comment on *DRAFT Guidance for Ozone and Fine Particulate Matter Permit Modeling*. This guidance provides EPA's recommendations for how a stationary source of air pollution seeking a Prevention of Significant Deterioration (PSD) permit may demonstrate that it will not cause or contribute to a violation of the National Ambient Air Quality Standards (NAAQS) for ozone (O₃) and fine particulate matter (PM_{2.5}) and PSD increments for PM_{2.5}, as required under Section 165(a)(3) of the Clean Air Act (CAA) and 40 CFR sections 51.166(k) and 52.21(k). This draft guidance updates EPA's *Guidance for PM_{2.5} Permit Modeling* to reflect the 2017 revisions to the *Guideline on Air Quality Models* and incorporates appropriate sections for O₃. EPA requests comments on the draft guidance by Friday, March 27, 2020. This allows at least 45 days for consideration, review, and comment. [The draft guidance is available on EPA's SCRAM website.](#)

Proposed Revisions to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements

EPA proposed revisions to its regulations guiding the preparation of state implementation plans (SIPs). These regulations are found in 40 CFR Part 51. The proposed action would revise the minimum reporting frequency requirement for SIPs applicable to source categories listed in Appendix P to 40 CFR Part 51 from quarterly to semiannual. This revision would be generally consistent with the current reporting frequency requirements to which these sources are subject under other programs (e.g., New Source Performance Standards). Each state could—but would not be required to—revise its SIP to allow semiannual reporting for four source categories:

1. fossil fuel-fired steam generators of more than 250 million BTU per hour heat input;
2. fluid bed catalytic cracking unit catalyst regenerators at petroleum refineries;
3. sulfuric acid plants; and
4. nitric acid plants.

The Clean Air Act requires each state to develop a plan to attain and maintain clean air known as a state implementation plan, or SIP. In general, SIPs must demonstrate how national air quality standards will be achieved, maintained, and enforced. EPA will accept comment on this proposed rule for 30 days after it publishes in the *Federal Register*. [A pre-publication version of the proposal and a summary fact sheet are available.](#)

Sensor Videos Available for Preview

EPA has developed three short (~3 minute) videos to help people understand the nature of low cost sensors and how air quality measurements relate to public health, as well as a PSA to introduce the videos. The videos cover how EPA collects and uses regulatory data, how EPA communicates health messaging, and questions that the public can ask themselves as they consider how to use sensors. We are sharing these links with you early, as you are one of our key stakeholders. You can preview these videos – in both Spanish and English - now at:

Links to videos:

[Air Sensor PSA](#)

[Air Sensor PSA \(Spanish\)](#)

[Air Sensors: Regulatory Data and Sensor Data Quality](#)

[Calidad de los Datos Regulatorios y de los Datos del Sensor](#)

[Air Sensors: Measurements and Your Health](#)

[Medidas y Su Salud](#)

[Air Sensors: Sources of Air Quality Information](#)

[Fuentes de Información sobre la Calidad del Aire](#)

On February 18, 2020, we plan to post links to these videos on the [Air Sensor Toolbox web page](#). And we plan to promote them during Air Quality Awareness week – May 4-8, 2020.

Rhonda Wright US EPA 2/18/2020

Subject: RE: Draft Guidance: Plantwide Applicability Limitation Provisions Under the New Source Review Preconstruction Permitting Regulations

EPA is providing an opportunity for interested stakeholders to review and comment on the draft *Guidance on Plantwide Applicability Limitation Provisions Under the New Source Review Regulations*. This memo provides guidance that addresses specific concerns raised by stakeholders regarding the use of plantwide applicability limitations (PALs) in the New Source Review permitting program. A PAL is an optional, flexible permitting approach available to major stationary sources that involves the establishment of a plantwide emissions limit, in tons per year, for a regulated NSR pollutant. A PAL simplifies NSR applicability by providing a source with the ability to manage changes and facility-wide emissions without triggering major NSR and without the need for project-by-project major NSR applicability analysis. The flexibility of PAL allows a source to respond rapidly to market changes with reduced permitting burden and greater regulatory certainty. EPA promulgated the PAL regulations as part of the 2002 NSR Reform rules. This guidance addresses: PAL permit reopening; PAL expiration; PAL adjustment during renewal; PAL termination; monitoring requirements; treatment of replacement units; general advantages of PALs and other considerations. It also presents the results of an informal survey of EPA Regional offices on PAL implementation. EPA will accept comment on this draft guidance through March 16, 2020. [The draft guidance, and a link for submitting comments, is available](#). Thanks in advance for sharing this with your stakeholders.

Nancy Larson KS Small Business Environmental Assistance Program 2/17/2020

SBA Environmental Roundtable Meeting, FRIDAY, February 28, 2020, 10 a.m. – 12:00 p.m.

U.S. Senate Committee on Small Business & Entrepreneurship Hearing Room, 428A Russell Senate Office Building, Washington, DC 20515

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet to discuss the following topics, beginning at 10 a.m. on Friday, February 28, 2020. The meeting will be held in Washington, D.C., in the hearing room of the **Senate Committee on Small Business and Entrepreneurship, Room 428A in the Russell Senate Office Building**. Send your RSVP to david.rostker@sba.gov. Please indicate whether you are attending in person, or by teleconference. Information will be sent out to you when you RSVP.

Agenda

10:00 AM – 11:00 AM: Proposed National Pollutant Discharge Elimination System (NPDES) 2020 reissuance of the Multi-Sector General Permit for Industrial Stormwater Discharges

Emily Halter, *Industrial Stormwater Program Lead, Office of Wastewater Management, EPA*

11:00 AM – 12:00 PM: EPA's Preliminary List of Manufacturers and the TSCA Fees Rule

Mark A. Hartman, *Deputy Director for Management, Office of Pollution Prevention and Toxics, EPA*
Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to david.rostker@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Rhonda Wright US EPA 2/4/2020

[National Emission Standards for Hazardous Air Pollutants: Petroleum Refinery Sector, 6064-6087 \(PDF\)](#)

Not ours but Tribes may be interested:

[Air Quality State Implementation Plans; Approvals and Promulgations: Minnesota; Revision to Taconite Federal Implementation Plan, 6125-6129 \(PDF\)](#)

Not ours but EJ Communities may be interested:

[Meetings: National Environmental Justice Advisory Council, 6169 \(PDF\)](#)

Rhonda Wright US EPA 1/31/2020

On January 31, 2020, the U.S. Environmental Protection Agency (EPA) issued minor amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines. EPA evaluated the risks remaining after fully implementing the 2004 NESHAP for Stationary Combustion Turbines and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is not making significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment. EPA is finalizing only minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results. [More information, including a pre-publication version of the final amendments and a summary fact sheet](#)

Rhonda Wright US EPA 1/30/2020

On January 30, 2020, the U.S. Environmental Protection Agency (EPA) issued minor amendments to the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asphalt Processing and Asphalt Roofing Manufacturing facilities and determined that risks from these source categories are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing no significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment.

EPA is finalizing minor amendments to the existing regulation. These amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results, notifications of compliance status and semi-annual reports. The amendments also provide more flexibility for the monitoring requirements and require compliance testing at least once every 5 years. [More information, including a pre-publication version of the final rule and a summary fact sheet](#)

Nancy Larson KS Small Business Environmental Assistance Program 1/29/2020

EPA has set up a Webinar on this topic that some of our states dealing with non-attainment areas will want to tune into or share with their state air monitoring programs. Thanks to Rhonda Wright of OAQPS for sharing this information! The webinar information is below, but you can also find all of the details on our [National SBEAP website calendar](#).

Date and Time: February 12, 2020, 1:00-2:00 p.m. Eastern Time **Intended Audience:** Air Agencies
When you get a chance, please share that EPA is providing an informal opportunity for interested stakeholders to review and comment on a draft guidance document about developing technical demonstrations pursuant to Clean Air Act (CAA) section 179B to show that an area would be able to attain, or would have attained, the relevant National Ambient Air Quality Standard but for emissions emanating from outside the U.S. The draft guidance describes recommended types of technical analyses for air agencies to include in such demonstrations, but it does not limit the types of information and analyses that could be provided. [The draft guidance is available](#). EPA will accept feedback on the draft guidance through March 10, 2020. Interested stakeholders can submit comments to [Docket ID No. EPA-HQ-OAR-2019-0668](#). For more information on submitting comments to the docket, see the memorandum to this Docket ID.

Nancy Larson KS Small Business Environmental Assistance Program 1/17/2020

Nebraska Recycling Council Creates Community Toolkit for Municipalities

LINCOLN, NEB. – Nebraska Recycling Council (NRC) has just released a “Community Materials Management Toolkit” with more than 390 resources covering 22 comprehensive subject matter categories regarding solid waste, recycling, and organics management. [Located on the NRC web site](#), the Toolkit is designed for elected officials, municipal staff, industry, schools, and community organizers looking for model ordinances, best practices, analysis tools, and case studies that provide guidance on how to improve materials management practices in their communities.

General subject matter categories are: Analysis and Decision-making Tools, Construction & Demolition, Commercial Recycling by Sector, Compost, Funding Mechanisms, Green Teams, Haulers & Collection, Hazardous Waste and Toxic Materials, Hub & Spoke, Landfills, Lexicon, Materials and Markets, Measurement, MRFs, Planning and Public Policy, Public Education, Reuse, Rural Recycling, Schools, Sustainability & Resilience, and Zero Waste. The project was funded by a Waste Reduction and Recycling Grant from the Nebraska Department of Environment and Energy in 2019. Nebraska Recycling Council is a statewide, member-based, 501(c)(3) nonprofit organization. Our mission is to maximize the economic and environmental benefits of resource recovery in Nebraska

About Nebraska Recycling Council

The Nebraska Recycling Council is a 501(c)(3) statewide nonprofit organization. Our mission is to maximize the economic and environmental benefits of resource recovery in Nebraska.

Visit www.nrcne.org for more information.

Rhonda Wright US EPA 1/14/2020

Final Revisions to the Petition Provisions of the Title V Permitting Program

After 20 years of experience in implementing the title V petition process, EPA has identified general trends in petition content and aspects of the petition review process that pose challenges for providing efficient responses to petitions. Three key areas are covered in this final rule, each of which should aid EPA’s review and increase stakeholder understanding of the petition process. This rule provides direction on how petitions should be submitted to the agency, including encouraging the use of an electronic submittal system established by EPA as the preferred method to submit title V petitions. In addition, the rule establishes content and format requirements for title V petitions. Further, the rule requires permitting authorities to respond in writing to significant comments received during the public comment period (when applicable) for draft title V permits, and to provide that response in the form of a response to comments document with the proposed title V permit to EPA for the agency’s 45-day review period. [A pre-publication version of the final rule and a summary fact sheet are available.](#)

Final Petroleum Refinery Sector Reconsideration

Today, the U.S. EPA issued the final rule, “National Emissions Standards for Hazardous Air Pollutants: Petroleum Refinery Sector.” This action finalizes the reconsideration of the 2015 final rule, “Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards.” EPA granted reconsideration of five specific issues raised by petitioners that the Agency did not provide an adequate opportunity for notice and comment regarding the 2015 final rule. In addition, today’s final rule provides corrections to drafting errors made in the 2018 Refinery MACT 1 and 2 technical amendments.

[A pre-publication version of the final rule and a summary fact sheet will be available.](#)

Rhonda Wright US EPA 1/7/2020

Subject: Final Risk and Technology Review for Surface Coating of Metal Can and Metal Coil

Earlier today the Administrator signed minor amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Surface Coating of Metal Cans (2003) and the Surface Coating of Metal Coil (2002) source categories. The Metal Can source category includes emissions from facilities engaged in the manufacture and surface coating of cans, can parts and decorative tins. This includes aerosol cans, two-piece food and beverage cans, two-piece food cans and three-piece cans.

The Metal Coil source category includes emissions from facilities engaged in the coating of aluminum and steel coils (sheets), which are used by client companies to fabricate a large variety of end products such as buses, trailers, large appliances, metal buildings and construction materials. Based on the results of required residual risk and technology reviews, EPA is finalizing in this action that risks from these source categories are acceptable and has identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is finalizing no significant changes to the original NESHAP for these source categories and concludes that the standards continue to provide an ample margin of safety to public health and the environment. The minor amendments to the existing regulations pertain to emissions during periods of startup, shutdown and malfunction, periodic testing of control devices, electronic reporting, and amendments to clarify certain rule provisions that will enhance the effectiveness of the rules. A pre-publication version of the final rule and a summary fact sheet are available on the web at:

<https://www.epa.gov/stationary-sources-air-pollution/surface-coating-metal-cans-national-emission-standards-hazardous> and

<https://www.epa.gov/stationary-sources-air-pollution/surface-coating-metal-coil-national-emission-standards-hazardous>

Tony Pendola NC Small Business Environmental Assistance Program 1/3/2020

[EPA curriculum outlines] If anybody would like to comment on these draft curriculum outlines for EPA/AAPCA, I can pass them along.

Nancy Larson KS Small Business Environmental Assistance Program 12/23/2019

EPA Finalizes List of Next 20 Chemicals to Undergo Risk Evaluation under TSCA

Today, after reviewing input from stakeholders and the public, the U.S. Environmental Protection Agency (EPA) announced the next 20 chemicals to undergo risk evaluation under the amended Toxic Substances Control Act (TSCA). Finalizing this list of high-priority chemicals for risk evaluation represents the final step in the prioritization process outlined in TSCA and marks another major TSCA milestone for EPA in its efforts to ensure the safety of existing chemicals in the marketplace.

“Today we are continuing to deliver on the promise of the Frank R. Lautenberg Chemical Safety for the 21st Century Act to assess and review existing chemicals in the marketplace,” said **EPA Administrator Andrew Wheeler**. “EPA is committed to transparency and being open with the public as these chemicals move through this TSCA process to evaluate the risks these chemicals may pose to public health and the environment.”

The 20 chemicals that will undergo risk evaluation consist of seven chlorinated solvents, six phthalates, four flame retardants, formaldehyde, a fragrance additive, and a polymer precursor. It is important to note that being designated as a high-priority chemical does not mean that a chemical is high risk.

The next steps for these chemicals are outlined in TSCA’s process for risk evaluation. This first includes taking public comment on scoping documents for each of these 20 chemicals. By June 2020, EPA will finalize these scoping documents which will include the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations EPA expects to consider during each chemical’s risk evaluation. The agency will also take public comments on the draft risk evaluations for these chemicals and will finalize them after considering the public input the agency receives.

EPA is still carefully reviewing public comments on the 20 low-priority chemicals proposed in August 2019. The agency will finalize the list of low-priority chemicals in early 2020. Additionally, EPA will soon release and take public comments on a draft list of manufacturers and importers of these chemicals to help determine the appropriate division of fees as required under the TSCA fees rule.

List of Next 20 Chemicals

1. p-Dichlorobenzene
2. 1,2-Dichloroethane
3. trans-1,2- Dichloroethylene
4. o-Dichlorobenzene

5. 1,1,2-Trichloroethane
6. 1,2-Dichloropropane
7. 1,1-Dichloroethane
8. Dibutyl phthalate (DBP) (1,2-Benzene- dicarboxylic acid, 1,2- dibutyl ester)
9. Butyl benzyl phthalate (BBP) - 1,2-Benzene- dicarboxylic acid, 1- butyl 2(phenylmethyl) ester
10. Di-ethylhexyl phthalate (DEHP) - (1,2-Benzene- dicarboxylic acid, 1,2- bis(2-ethylhexyl) ester)
11. Di-isobutyl phthalate (DIBP) - (1,2-Benzene- dicarboxylic acid, 1,2- bis-(2methylpropyl) ester)
12. Dicyclohexyl phthalate
13. 4,4'-(1-Methylethylidene)bis[2, 6-dibromophenol] (TBBPA)
14. Tris(2-chloroethyl) phosphate (TCEP)
15. Phosphoric acid, triphenyl ester (TPP)
16. Ethylene dibromide
17. 1,3-Butadiene
18. 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta [g]-2-benzopyran (HHCB)
19. Formaldehyde
20. Phthalic anhydride

[More information](#)

John Podolinsky MT Small Business Environmental Assistance Program 12/18/2019

Via Lisa Thresher: This email contains TCE alternative training materials and an attached fact sheet recently developed by the Illinois Sustainable Technology Center under a P2 grant, which may support food and beverage work.

Via Christine Anderson: Sharing TCE alternative training materials developed under an existing P2 grant (Minnesota Pollution Control Agency in partnership with the Minnesota Technical Assistance Program, training conducted by the Toxics Use Reduction Institute). Feel free to share with your contacts as appropriate.

- o [TURI, Cleaning Background, & TCE Alternatives](#)
- o [TCE Case Studies](#)
- o [Site Visit Overview](#)
- o [CleanerSolutions and Pollution Prevention Options Analysis System \(P2OASys\) Assessment Tools](#)
- o [Laboratory Testing Process & Implementation](#)

<http://www.mntap.umn.edu/industries/facility/machine/tcealternatives/#TCE.Recordings>

Rhonda Wright US EPA 12/17/2019

Subject: Proposed Revisions to Method 23 Signed

EPA is proposing technical and editorial updates to the Agency's Method 23 "Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources". These changes would update the existing procedures and expand the list of target compounds of Method 23 to include polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs). The proposed revisions would improve the accuracy of Method 23 and provide flexibility to stack testers and analytical laboratories who measure semivolatile organic compounds (SVOC) from stationary sources while ensuring that the stack testing community can consistently implement the method across emissions sources and facilities. EPA will accept comment on this proposed rule for 60 days after it is published in the Federal Register. [A pre-publication version of the proposal and a summary fact sheet are available on the web.](#)

Lynelle Ladd KS Small Business Environmental Assistance Program 12/17/2019

EPA Initiates Peer Review of TSCA Systematic Review Approach

The Environmental Protection Agency (EPA) contracted the National Academies of Science (NAS) to conduct a peer review of the [Application of Systematic Review in TSCA Risk Evaluations](#). This review

will help provide EPA with important feedback on the agency's approach to selecting and reviewing the scientific studies that are used to inform Toxic Substances Control Act risk evaluations. Integrating systematic review principles into the TSCA risk evaluation process is critical to developing transparent, reproducible and scientifically credible risk evaluations.

EPA will be providing the NAS with the *Application of Systematic Review in TSCA Risk Evaluations* document published in June 2018, as well as additional publicly available information that can inform their review, including previously received public comments on this method. NAS will use [their study process](#) to conduct an objective and independent peer review, including convening a public meeting and issuing a final report, by June of 2020.

EPA will continue its work on the risk evaluations currently underway using the established systematic review process. The agency will incorporate recommendations from NAS as appropriate into our systematic review methods and use the updated process in future risk evaluations as timing allows.

Rhonda Wright US EPA 12/17/2019

Here is a newly tiered action that has just recently been put into the ADP process.

OAR - SAN 7657: (Tier '3') Guidance on Begin Actual Construction for the Major New Source Review Program

Draft – June 2020; Final – Dec. 2020

External Abstract: This guidance rescinds prior agency guidance on what constitutes “begin actual construction” for New Source Review (NSR) permitting purposes and substitutes a revised interpretation which better comports with the regulatory language defining that term.

No Workgroup Specified

Paula Hoag EPA Office of Small Business Programs 12/6/2019

Potential new EPA SBAR panel. [Find more info Here:](#)

EPA Seeks Small Businesses for SBREFA Panel on Ethylene Oxide Emission Proposed Rule

EPA has announced its intent to significantly tighten emissions for Ethylene Oxide (EtO) from Commercial Sterilization and Fumigation Operations. EPA anticipates that such a rule would have a significant economic impact on a substantial number of small entities, so EPA has requested nominations for small businesses to participate in a SBREFA panel. This panel would engage affected small businesses directly to seek comments and suggestions for regulatory alternatives before the proposed rule is published. If you use EtO for sterilization or fumigation or may need to in the future, please consider self-nominating to participate in this SBREFA panel.

- For information about this rulemaking and the forthcoming ANPRM, visit EPA's website [here](#).
- Nominate small businesses and/or their representatives to participate in the SBREFA panel.
 - Visit the [EPA SBREFA website](#) for information and instructions.
 - Copy Assistant Chief Counsel Dave Rostker (david.rostker@sba.gov) on your nominations.
- Nominations due by December 20, 2019.

Advocacy Contact: [Assistant Chief Counsel Dave Rostker](#) at 202-205-6966

Rhonda Wright US EPA 12/6/2019

On December 5, 2019, the U.S. Environmental Protection Agency (EPA) issued an advance notice of proposed rulemaking (ANPRM) to solicit information from the public regarding a potential future rulemaking to revise the standards for commercial ethylene oxide sterilization and fumigation facilities. Specifically, the ANPRM solicits information on suggested strategies for ethylene oxide emission reductions. Addressing ethylene oxide emissions from sterilizers is an agency priority. The ANPRM will not impose any requirements on the regulated community; rather, it offers the public the opportunity to comment. EPA will accept comment on the ANPRM for 60 days after publication in the *Federal Register*.

EPA is also taking two additional actions in preparation for a potential future rulemaking for these facilities:

- Soliciting nominations for representatives for small entities potentially subject to a future rulemaking to advise a Small Business Advocacy Review Panel that would focus on the rule development.
- Issuing a request for information under CAA section 114 to gather information from several commercial sterilization companies on facility characteristics, control devices, work practices and costs for emission reductions.

[More information on these actions, including a pre-publication version of the ANPRM and a summary fact sheet](#)

Tony Pendola NC Small Business Environmental Assistance Program 12/5/2019

U.S. EPA Announces ANPRM for Ethylene Oxide Emissions from Commercial Sterilization and Fumigation Operations

This afternoon, U.S. EPA [indicated that the Agency is issuing](#) an Advance Notice of Proposed Rulemaking (ANPRM) to solicit information from on strategies for further reducing ethylene oxide emissions from commercial sterilization and fumigation operations. U.S. EPA's press release can be found [here](#), and indicates the following additional Agency actions:

- EPA is soliciting nominations for representatives for small entities potentially subject to a future rulemaking to advise a Small Business Advocacy Review Panel that would focus on the rule development.
- EPA is issuing a request for information under CAA section 114 to gather information from several commercial sterilization companies on facility characteristics, control devices, work practices and costs for emission reductions.

More information is available [here](#) (a draft of the ANPRM should be posted soon) and a summary of U.S. EPA's work on ethylene oxide can be found [here](#).

U.S. EPA and JTC Seeking Feedback on Training Curriculum Outlines

U.S. EPA, in coordination with AAPCA and the Joint Training Committee (JTC), is seeking feedback on curriculum outlines to guide the Agency's updates and future development of air quality training programs. The JTC consists of members from U.S. EPA, the Multi-Jurisdictional Organizations (MJOs), AAPCA, NACAA, and the Environmental Council of States (ECOS). EPA and the JTC will be requesting feedback on curriculum outlines dedicated to specific training areas.

The first three drafts available for review will guide training for air toxics, monitoring, and source testing. U.S. EPA is seeking input on these short outlines by the end of 2019 – Please email nkilby@csg.org if you are willing to provide feedback. As a reminder, early this year AAPCA transmitted a [letter](#) to U.S. EPA's Office of Air Quality Planning & Standards (OAQPS) on principles and priorities for training program development.

Tony Pendola NC Small Business Environmental Assistance Program 12/5/2019

Via Melissa Payne: Please share this information with your members and other interested parties.

US EPA has released another Regulation Navigation tool for air quality regulations- **Standards of Performance for Subpart Cf: [Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills](#).**

These online, interactive software programs are designed to help owners and operators of selected air quality regulations determine their personalized requirements by answering successive questions about their equipment/facilities. Note that the tool is not capable of storing or saving the information used.

Owners/operators will need to print the results for their records. All of the tools can be found [here](#).

Existing Reg Nav Tools include:

Standards of Performance for New Stationary Sources (NSPS) Subparts IIII & JJJJ (combined tool)- Stationary Spark Ignition Internal Combustion Engines /Stationary Compression Ignition Internal Combustion Engines

Subpart WWW- Standards of Performance for Municipal Solid Waste Landfills

Subpart XXX: Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014

National Emission Standards for Hazardous Air Pollutants (NESHAP):

Subpart ZZZZ- Reciprocating Internal Combustion Engines (RICE)

Subpart JJJJ- Brick and Structural Clay Products Manufacturing

Subpart LLL- Portland Cement Manufacturing Industry

Subpart JJJJJ- Area Source Industrial, Commercial, and Institutional Boilers

If you have difficulties getting Reg Nav to open in one internet browser, please try another browser.

Rhonda Wright US EPA 12/4/2019

The Administrator signed final guidance titled, *Revised Policy on Exclusions from “Ambient Air”* that revises the Agency’s 1980 policy on the exclusion of certain areas from the scope of “ambient air” under the Clean Air Act and EPA’s regulations. This guidance updates EPA’s policy to recognize that an industrial facility owner or operator may use a variety of measures to keep the public off facility property. These measures, which account for advances in surveillance and monitoring, depend on site-specific circumstances but continue to include but are not limited to fences or other physical barriers. The regulatory definition of ambient air, in 40 CFR §50.1(e), remains unchanged as “that portion of the atmosphere, external to buildings, to which the general public has access.” [The final guidance is available. The press release has been posted.](#)

Rhonda Wright US EPA 12/3/2019

Today, we posted to the web a proposal to correct typographical and technical errors in several test methods and performance specifications. In this proposed action, the Agency is also incorporating alternative equipment and test methods the Agency has deemed acceptable to use. These revisions to testing regulations for air emission sources maintain environmental protection at no additional cost to industry. [Pre-publication version of the preamble and a fact sheet](#)

Sara Johnson NH Small Business Environmental Assistance Program 11/27/2019

[Here is another video released this week](#) that I helped produce and direct. It is the 1st one in a series on used oil management. This one was fun because we filmed it at 2 small businesses. Both of the businesses are members of the NH Automobile Dealers Association. SBTAP has a long standing partnership with this trade association.

Nancy Larson KS Small Business Environmental Assistance Program 11/26/2019

EPA Takes Important Step to Advance PFAS Action Plan, Requests Public Input on Adding PFAS Chemicals to the Toxics Release Inventory

WASHINGTON (Nov. 25, 2019) — Today, the U.S. Environmental Protection Agency (EPA) is asking the public for input on potentially adding certain per- and polyfluoroalkyl substances (PFAS) to the list of chemicals companies are required to report to the agency as part of the Toxics Release Inventory (TRI). This action supports the agency’s February 2019 [PFAS Action Plan](#), which describes EPA’s long- and short-term actions to address PFAS.

“EPA continues to show critical leadership on addressing PFAS as we aggressively implement our PFAS Action Plan—the most comprehensive cross-agency plan to address an emerging chemical ever taken by EPA,” **said EPA Administrator Andrew Wheeler.** “I started at the agency as a career employee in the TRI program and exploring the addition of certain PFAS chemicals to the TRI is an important step that can enhance this tool and provide important information to the public on these chemicals for the first time.”

EPA's TRI is an important tool that provides the public with information about the use of certain chemicals by tracking their management and associated activities. U.S. facilities in different industry sectors must report annually how much of each chemical is released to the environment and/or managed through recycling, energy recovery, and treatment. TRI helps support informed decision-making by companies, government agencies, non-governmental organizations and the public. Currently, no PFAS chemicals are included on the list of chemicals that are required to be reported to TRI.

As EPA considers whether to add these chemicals, the agency will use public comments and information received in response to today's [Advance Notice of Proposed Rulemaking \(ANPRM\)](#) for two purposes. First, the public input will help the agency determine whether data and information are available to fulfill the TRI chemical listing criteria. Second, EPA will use the input to help evaluate the extent and usefulness of the data that would be gathered under TRI.

All comments and information received in response to this ANPRM will be evaluated along with previously collected and assembled studies. If EPA decides to move forward with adding PFAS chemicals to the TRI, the agency will publish a proposed rule and seek public comment on the proposal. [View the ANPRM.](#) [The comment period will open upon publication of the Federal Register Notice.](#) [More information on PFAS.](#) [More information on TRI.](#)

Background

PFAS are a large group of man-made chemicals used in consumer products and industrial processes. In use since the 1940s, PFAS are resistant to heat, oils, stains, grease, and water—properties which contribute to their persistence in the environment.

The agency's PFAS Action Plan is the first multi-media, multi-program, national research, management and risk communication plan to address a challenge like PFAS. The plan responds to the extensive public input the agency received during the PFAS National Leadership Summit, multiple community engagements, and through the public docket. The PFAS Action Plan outlines the tools EPA is developing to assist states, tribes, and communities in addressing PFAS.

EPA continues to make progress under its PFAS Action Plan to protect the environment and human health. To date, EPA has:

Highlighted Action: Drinking Water

- The Agency is moving forward with the drinking water standard setting process outlined in the Safe Drinking Water Act (SDWA) for PFOA and PFOS.
- As a next step, EPA will propose a regulatory determination for PFOA and PFOS by the end of this year.
- The Agency is also gathering and evaluating information to determine if regulation is appropriate for other chemicals in the PFAS family.

Highlighted Action: Cleanup

- On June 10, 2019, EPA concluded public comment on the [draft Interim Recommendations for Addressing Groundwater Contaminated with PFOA and PFOS](#), when finalized it will provide cleanup guidance for federal cleanup programs (e.g., CERCLA and RCRA) that will be helpful to states and tribes.
- EPA is initiating the regulatory development process for listing certain PFAS as hazardous substances under CERCLA.

Highlighted Action: Monitoring

- EPA will propose nationwide drinking water monitoring for PFAS under the next UCMR monitoring cycle.

Highlighted Action: Toxics

- EPA has issued a proposed advanced notice of proposed rulemaking that would allow the public to provide input on adding PFAS to the Toxics Release Inventory toxic chemical list.
- A supplemental proposal to ensure that certain persistent long-chain PFAS chemicals cannot be manufactured in or imported into the United States without notification and review under the TSCA is currently undergoing interagency review at the Office of Management and Budget.

Highlighted Action: Surface Water Protection

- EPA plans to develop national Clean Water Act human health and aquatic life criteria for PFAS, as data allows.
- EPA is examining available information about PFAS released into surface waters by industrial sources to determine if additional study is needed for potential regulation.

Highlighted Action: Biosolids

- EPA will be developing risk assessments for PFOA and PFOS to understand any potential health impacts.

Highlighted Action: Research

- EPA continues to compile and assess human and ecological toxicity information on PFAS to support risk management decisions.
- EPA continues to develop new analytical methods to test for additional PFAS in drinking water.
- The Agency is also validating analytical methods for surface water, ground water, wastewater, soils, sediments and biosolids; developing new methods to test for PFAS in air and emissions; and improving laboratory methods to discover unknown PFAS.
- EPA is developing exposure models to understand how PFAS moves through the environment to impact people and ecosystems.
- EPA continues to assess and review treatment methods for removing PFAS in drinking water.
- EPA is working to develop tools to assist officials with the cleanup of contaminated sites. EPA is evaluating the effectiveness technologies and evaluating data on methods for managing the end-of-life disposal of PFAS-contaminated materials.

Highlighted Action: Enforcement

- EPA uses enforcement tools, when appropriate, to address PFAS exposure in the environment and assists states in enforcement activities.

Highlighted Action: Risk Communications

- EPA will work collaboratively to develop a risk communication toolbox that includes multi-media materials and messaging for federal, state, tribal, and local partners to use with the public.

Paula Hoag EPA Office of Small Business Programs 11/25/2019

Please see EPA's recently posted [Fall 2019 Regulatory Agenda](#). EPA's Fall Regulatory Agenda includes information on the agency's regulatory and deregulatory activities under development within the next 12 months. This current Agenda includes 56 actions that are expected to be deregulatory and 37 actions appearing for the first time. Please let me know if you have any questions or concerns.

Sara Johnson NH Small Business Environmental Assistance Program 11/25/2019

This [Greenworks article](#) includes a link to a video SBTAP, with help from other DES programs, produced and directed on furniture polish. We are currently working on the 2nd installment of the video series about glass cleaners. This video did not cost my program any money except for my time. The Public Information Office (PIO) is general funded so we don't have to provide funding to create videos.

Nancy Larson KS Small Business Environmental Assistance Program 11/22/2019

This is intended as a follow-up to some of our R7 SBEAP discussions, but pertains to all Regions so I thought I would share it out to "Main." Via Terri Blunk: Yesterday evening Administrator Wheeler signed the RMP Reconsideration Final Rule. [A pre-publication copy of the final rule and a final rule fact sheet are available on our website](#). Do know that this is the first me and my Region 7 co-workers are getting to review what is in the final rule, so you may want to give us a few days before asking any follow-up questions. Below is a list of our state coordinators.

Tribal/State Coordinators

Iowa: To be Announced, for now contact Terri Blunk; 913-551-7013; blunk.terri@epa.gov

Kansas: Jodi Harper; 913-551-7483; harper.jodi@epa.gov

Missouri: Dave Hensley; 913-551-7768; hensley.dave@epa.gov

Nebraska: Terri Blunk; 913-551-7013; blunk.terri@epa.gov

Tribal: Terri Blunk; 913-551-7013; blunk.terri@epa.gov

Mark Stoddard IN Compliance & Technical Assistance Program 11/19/2019

Via David Darling- here is the SCAQMD list of Certified Clean Air Solvents - [business-detail](#)

Sara Johnson NH Small Business Environmental Assistance Program 11/18/2019

Federal Register Notices – 11/13/19, [Final Rule, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines](#), 61563-61568, [EPA is finalizing amendments to the Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. This final action revises the emission standards for particulate matter (PM) for new stationary compression ignition (CI) engines located in remote areas of Alaska.]

11/1/19, [Final Rule, NESHAP: Clay Ceramics Manufacturing](#), 58601-58623

[This action finalizes certain amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Clay Ceramics Manufacturing source category. The final amendments are being issued in response to a petition for reconsideration filed by an affected industry (Kohler Company) on the final rule promulgated on October 26, 2015, as well as our review of the 2015 rule with respect to certain other issues raised by Kohler. This action revises the temperature monitoring methodology used to demonstrate continuous compliance with the dioxin/furan (D/F) emissions limit of the final rule. In addition, we are addressing concerns raised by Kohler regarding visible emissions (VE) monitoring of tunnel kiln stacks for continuous compliance with particulate matter (PM) and mercury (Hg) emission limitations. This action also amends the requirements for weekly visual inspections of system ductwork and control device equipment for water curtain spray booths. Lastly, this action amends the NESHAP to include provisions for emissions averaging, makes technical corrections, and adds certain definitions.

DATES: This final rule is effective on November 1, 2019.]

11/1/19, [Proposed Rules, NESHAPs: Surface Coating of Automobiles and Light-Duty Trucks; Surface Coating of Miscellaneous Metal Parts and Products; Surface Coating of Plastic Parts and Products; Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture Residual Risk and Technology Reviews](#), 58936-59030

[EPA is proposing amendments to address the results of the residual risk and technology reviews (RTR) that the EPA is required to conduct in accordance with the Clean Air Act (CAA) with regard to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for the Surface Coating of Automobiles and Light-Duty Trucks (ALDT), the NESHAP for the Surface Coating of Miscellaneous Metal Parts and Products (MMPP), and the NESHAP for the Surface Coating of Plastic Parts and Products (PPP). The EPA is proposing to find the risks due to emissions of air toxics from these source categories under the current standards are acceptable and the standards provide an ample margin of safety to protect public health. We are proposing no revisions to the numerical emission limits based on these analyses. The EPA is proposing to amend provisions addressing emissions during periods of startup, shutdown, and malfunction (SSM); to amend provisions regarding electronic reporting of performance test results; to amend provisions regarding monitoring requirements; and to make miscellaneous clarifying and technical corrections. This notice also proposes technical corrections to the NESHAP for Surface Coating of Large Appliances; NESHAP for Printing, Coating, and Dyeing of Fabrics and Other Textiles; and NESHAP for Surface Coating of Metal Furniture. **Comments must be received on or before December 16, 2019.**]

10/31/19, [Proposed Rule NESHAP Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills: Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013](#), 58356-58362

[EPA is proposing to amend the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-alone Semichemical Pulp Mills and the New Source Performance Standards (NSPS) for Kraft Pulp Mills constructed, reconstructed, or modified after May 23, 2013. This proposed rule clarifies how operating limits are required to be

established for smelt dissolving tank scrubbers and corrects cross-reference errors in both rules.

DATES: Comments must be received on or before December 30, 2019.]

10/23/19, [Notification of Public Hearing and Extension of Public Comment Period, NESHAP Generic Maximum Achievable Control Technology Standards Residual Risk and Technology Review for Ethylene Production](#), 56733-56734

[On October 9, 2019, the U.S. Environmental Protection Agency (EPA) published a document in the Federal Register to announce its National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology Standards Residual Risk and Technology Review for Ethylene Production proposed rulemaking. The document also requested public comment on the proposed action. The EPA is announcing that it will hold a public hearing. The hearing will provide interested parties the opportunity to present data, views, or arguments concerning the proposed action. In addition, the EPA is extending the comment period by 11 days to allow for a public comment period of 30 days following the public hearing. **DATES: Public hearing:** The EPA will hold a public hearing on November 6, 2019, from 9:00 a.m. (local time) until 1:00 p.m. in Washington, DC. The EPA will begin pre-registering speakers for the hearing on October 23, 2019 and end pre-registration on November 4, 2019. Please refer to the SUPPLEMENTARY INFORMATION section for additional information on the public hearing. **Comments:** The comment period for the proposed rule published October 9, 2019 (84 FR 54278), is extended. The **EPA must receive comments on this proposed action no later than December 6, 2019.]**

10/21/19, [Proposed Rule, NESHAP Organic Liquids Distribution \(Non-Gasoline\) Residual Risk and Technology Review](#), 56288-56365

[EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Organic Liquids Distribution (Non-Gasoline) (OLD) source category. The EPA is proposing amendments to the storage tank and equipment leak requirements as a result of the residual risk and technology review (RTR). The EPA is also proposing amendments to allow terminals the option to implement a fence line monitoring program in lieu of the enhancements to the storage tank and equipment leak requirements; correct and clarify regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM); add requirements for electronic reporting of performance test results and reports, performance evaluation reports, compliance reports, and Notification of Compliance Status (NOCS) reports; add operational requirements for flares; and make other minor technical improvements. We estimate that these proposed amendments would reduce emissions of hazardous air pollutants (HAP) from this source category by 386 tons per year (tpy), which represents an approximate 16-percent reduction of HAP emissions from the source category. **DATES: Comments must be received on or before December 5, 2019.]**

Rhonda Wright US EPA 10/30/2019

Earlier today the Administrator amended the Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines to provide regulatory relief for owners and operators of stationary CI engines in remote areas of Alaska. This action removes the requirement that new CI engines in remote areas of Alaska must meet the Tier 4 particulate matter (PM) emission standard and replaces it with a requirement that the engines must meet the Tier 3 PM standard. EPA has already revised the rule to remove the requirement for these engines to meet the Tier 4 standards for other pollutants. This action satisfies EPA's obligation to revise the rule under the recently enacted Alaska Remote Generator Reliability and Protection Act. The rule will be effective upon publication in the *Federal Register*. [A pre-publication copy of the rule and a summary fact sheet are available on the web.](#)

Rhonda Wright US EPA 10/23/2019

Yesterday, the Administrator proposed minor amendments to the National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills and to the New Source Performance Standards for Kraft Pulp Mills. The proposed amendments provide flexibility for monitoring requirements and improved regulatory clarity.

These minor amendments would go into effect immediately upon promulgation. EPA will accept comment on the proposed amendments for 60 days after publication in the *Federal Register*. [The notice and a summary fact sheet are available.](#)

Sara Johnson NH Small Business Environmental Assistance Program 10/17/2019

U.S. EPA is excited to announce the availability of an updated version of our targeted small business guide: [“Managing Hazardous Waste: A Guide for Small Businesses.”](#) This handbook provides an overview of the federal hazardous waste regulations to give small business owners and operators a basic understanding of their hazardous waste management responsibilities. It answers questions like “Do hazardous waste regulations apply to me?” “How do I know which generator category I am?” and “What kinds of requirements do I have to follow?” This handbook will help small businesses get on the road to proper hazardous waste management, a critical step in protecting human health and the environment. The Guide has been updated to reflect the changes to the regulations for hazardous waste generators since the previous version of the publication, including the 2016 Generator Improvements Rule, wastes added to the universal waste program, Subpart K for academic laboratories, the Hazardous Waste Pharmaceuticals Rule, and electronic reporting/e-Manifest. [Find and share the Guide.](#)

Rhonda Wright US EPA 10/15/2019

I wanted to share with you that EPA has just posted information about the next steps concerning the 2015 [New Source Performance Standards for new residential wood heaters, hydronic heaters, and forced-air furnaces](#). EPA is taking two significant steps concerning the 2015 New Source Performance Standards (NSPS) for new residential wood heaters, hydronic heaters, and forced-air furnaces. First, the agency is preparing a final rule related to its November 30, 2018, proposed rule and intends to publish this final action in fall 2019. In this action, the agency intends to address minimum pellet requirements and other issues identified in the proposal.

In the meantime, EPA encourages affected entities to continue efforts to certify compliance with the NSPS in light of the upcoming May 15, 2020, compliance date. To this end, on August 19, 2019, the agency approved an [alternative test method](#) for forced-air furnaces, which the agency believes may facilitate the ability of manufacturers of these devices to certify compliance by the current compliance date.

Second, in the coming months, the agency is initiating a series of roundtable discussions with states and other stakeholders to inform the agency’s direction toward a cord wood-based compliance test method. These discussions are intended to lay the foundation for a future test method rulemaking.

Sara Johnson NH Small Business Environmental Assistance Program 10/15/2019

1) **Recent Federal Register Notices** – October 8, 2019, [Reopening of Public Comment Period, NESHAP: Integrated Iron and Steel Manufacturing Facilities Residual Risk and Technology Review](#); 53662-53663 [On August 16, 2019, the Environmental Protection Agency (EPA) proposed a rule titled “National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities Residual Risk and Technology Review.” The EPA is reopening the comment period on the proposed rule that originally closed on September 30, 2019. The comment period will remain open to allow additional time for stakeholders to review and comment on the proposal. Written comments must be received on or before November 7, 2019.]

October 9, 2019, [Proposed Rule, NESHAP: Generic Maximum Achievable Control Technology Standards Residual Risk and Technology Review for Ethylene Production](#), 54278-54352

[EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Generic Maximum Achievable Control Technology Standards. The source category addressed in this action is Ethylene Production. The EPA is proposing decisions concerning the residual risk and technology review (RTR), including proposing amendments pursuant to technology review for storage vessels and heat exchange systems. The EPA is also proposing amendments to correct and clarify regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM),

including removing general exemptions for periods of SSM, adding work practice standards for periods of SSM where appropriate, and clarifying regulatory provisions for certain vent control bypasses. Lastly the EPA is proposing to add monitoring and operational requirements for flares; and add provisions for electronic reporting of performance test results and reports and Notification of Compliance Status (NOCS) reports. We estimate that these proposed amendments will reduce hazardous air pollutants (HAP) emissions from this source category by 62 tons per year (tpy). Comments must be received on or before November 25, 2019.]

October 9, 2019, [Proposed Rule, NESHAP: Iron and Steel Foundries Residual Risk and Technology Review](#), 54394-54433

[This action presents the proposed results of the U.S. Environmental Protection Agency's (EPA's) residual risk and technology review (RTR) required under the Clean Air Act (CAA) for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for major source Iron and Steel Foundries, initially promulgated in 2004 and amended in 2008. Pursuant to the CAA, this action also presents the proposed results of the technology review for the NESHAP for area source Iron and Steel Foundries, initially promulgated in 2008. In this proposed action, the EPA is also proposing to remove exemptions for periods of startup, shutdown, and malfunction (SSM) and specify that the emissions standards apply at all times; require electronic reporting of performance test results and compliance reports; and make minor corrections and clarifications for a few other rule provisions for major sources and area sources. Implementation of these proposed rules is not expected to result in significant changes to the emissions from iron and steel foundries, human health, or environmental impacts associated with those emissions. However, this action, if finalized, would result in improved monitoring, compliance, and implementation of the existing standards. Comments must be received on or before November 25, 2019.]

Rhonda Wright US EPA 10/2/2019

Yesterday, Peter signed a notice to reopen, for 30 days, the public comment period on the proposed rule, "National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities Residual Risk and Technology Review" (Tier 2; SAN 5919; RIN 2060-AT03). This will allow interested groups more time to review and comment on the proposal. A Federal Register notice reopening the public comment period will be available soon; [a draft version is available on the website](#). The comment period for the proposal closed on September 30, 2019. Comments that are submitted during the interim will be saved and put in the docket when the comment period reopens. [Information about how to comment](#)

Rhonda Wright US EPA 9/27/2019

EPA is proposing the residual risk and technology review (RTR) of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Rubber Tire Manufacturing. After evaluating the remaining risks after fully implementing the 2002 NESHAP for this source category, EPA determined that risks are acceptable. In addition, the agency identified no cost-effective developments in practices, processes or control technologies that would further reduce emissions of air toxics. EPA is proposing no significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to public health and the environment. EPA is proposing only minor amendments to the existing regulation. These proposed amendments clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting. [Pre-publication version of the proposal and a summary fact sheet](#)

Rhonda Wright US EPA 9/27/2019

Last night the Administrator signed the proposed RTR for Organic Liquids Distribution (non-gasoline). EPA evaluated the risks remaining after fully implementing the 2004 National Emission Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline) facilities and determined that risks from this source category are acceptable and that the standards continue to provide an ample margin of safety to protect public health and the environment. Following a technology review, the agency has

identified new, cost-effective developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants and is proposing to amend the requirements for storage tanks and equipment leaks. EPA is also proposing to offer owners and operators the option of implementing a fenceline monitoring program in lieu of these proposed new requirements for storage tanks and equipment leaks.

EPA is proposing other amendments to the existing regulation. These proposed amendments clarify that the standards are applicable during periods of startup, shutdown, and malfunction; require electronic reporting of performance test results; propose new operational requirements for flares used as control devices; the retention of a standard, the removal of an exemption and the solicitation of comment on an issue for pressure relief devices; and minor rule clarifications. [Pre-publication version of the proposal and a summary fact sheet](#)

Annette Fulgenzi IL Small Business Environmental Assistance Program 9/24/2019

Via SBA Office of Advocacy: **Popular Small Business Data Publications from the Office of Advocacy Updated for 2019**

The Office of Advocacy's popular small business data summary, "[Frequently Asked Questions About Small Business](#)," has been updated with the latest government statistics. An infographic based on the FAQ, "[What's New with Small Business](#)," illustrates a dozen key facts from the FAQ.

The FAQ shows the major economic role of the small business sector in the U.S. economy.

- Most businesses are small – 99.9 percent of all firms.
- The total number of small businesses is now 30.7 million.
- Small businesses generate 33.3 percent of known export value.
- Small businesses pay 40.7 percent of private sector payroll.
- Small businesses are the nation's job creators. They have generated 65 percent of net new jobs since 2000.
- About half of all firms are home based, and about one-fifth are family owned.
- About half of all establishments survive at least five years, and about one-third survive at least 10 years.

For research purposes, the U.S. Small Business Administration defines small businesses as independent businesses with fewer than 500 employees. [You can find both publications on the Office of Advocacy's website.](#)

Rhonda Wright US EPA 9/24/2019

Today, EPA published a Federal Register notice announcing details about the public hearing for the proposed policy amendments to the 2012 and 2016 New Source Performance Standards for the Oil and Natural Gas Industry. A desk statement is below. Please share with your interested stakeholders.

Statement: EPA will hold a public hearing on the proposed policy amendments to the 2012 and 2016 New Source Performance Standards for the Oil and Natural Gas Industry on Thursday, October 17, 2019, in Dallas, Texas. All persons wanting to speak are encouraged to register in advance.

What: Public hearing on the proposed policy amendments to the 2012 and 2016 New Source Performance Standards for the Oil and Natural Gas Industry

When: Thursday, October 17, 2019. The hearing will convene at 8 a.m. (local time) and conclude at 6 p.m. If the EPA receives a high volume of requests, we may continue the public hearing on Friday, October 18, 2019.

Where: Earle Cabell Federal Courthouse, 1100 Commerce Street, Dallas, Texas 75242

Oral comments and supporting information presented at the public hearing will be considered with the same weight as written statements and supporting information submitted during the public comment period. Written comments must be received by the last day of the comment period, which will be 60 days after date of publication of the proposed rule in the *Federal Register*. Comments should be identified by Docket ID No. EPA-HQ-OAR-2017-0757 and may be submitted by [one of the methods listed online](#).

Sara Johnson NH Small Business Environmental Assistance Program 9/23/2019

Via Susan Lancey, EPA: 1) **Ethylene Oxide Updates:** Update on the review of two NESHAPs addressing ethylene oxide emissions. A draft proposal for the Miscellaneous Organic Chemical Manufacturing NESHAP is at the Office of Management and Budget for interagency review. EPA expects to issue that proposal for public review and comment as soon as interagency review is complete. The Agency is under a court order to take final action on the rule by March 13, 2020. For the NESHAP for Ethylene Oxide Commercial Sterilizers, EPA has been working over the past year to compile information on control technology options and costs for the more than 100 sterilizers that the rule would potentially cover. The Agency intends to take two actions in October to help obtain additional information EPA needs to ensure we have a solid data-based record to support our rulemaking: (1) Issuing an Advance Notice of Proposed Rulemaking (ANPR) that will outline the potential approaches that EPA could take in its upcoming rule, along with the technologies available for controlling ethylene oxide emissions; and (2) Issuing a request for information to several commercial sterilization companies under section 114 of the Clean Air Act. More information is available [online](#).

2) **Federal Register Notices** – 9/16/19, [Proposed Rule, NESHAP: Lime Manufacturing Plants Residual Risk and Technology Review](#), 48708-48748 [EPA is proposing the results of the residual risk and technology reviews (RTR) for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Lime Manufacturing Plants. We are proposing to find that risks due to emissions of air toxics from this source category are acceptable and that the current NESHAP provides an ample margin of safety to protect public health. Under the technology review, we are proposing to find that there are no developments in practices, processes, or control technologies that necessitate revision of the standards. We are proposing to amend provisions addressing periods of startup, shutdown, and malfunction (SSM) and to add provisions regarding electronic reporting. DATES: Comments. **Comments must be received on or before October 31, 2019.**]

9/19/19, [Proposed Rule, NESHAP: Paper and Other Web Coating Residual Risk and Technology Review](#), 49382-49433 [EPA is conducting the residual risk and technology review (RTR) of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Paper and Other Web Coating (POWC) source category that is required under the Clean Air Act (CAA). We are proposing to find the risks due to emissions of air toxics to be acceptable from this source category and that the current NESHAP provides an ample margin of safety to protect public health. Further, we identified no new cost-effective controls under the technology review that would achieve significant further emissions reductions, and, thus, are proposing to find that no revisions are necessary based on developments in practices, processes, or control technologies. In addition to performing the RTR, we are proposing certain amendments to the POWC NESHAP. Specifically, the EPA is proposing to add a compliance demonstration equation that accounts for retained volatiles in the web coating; to amend provisions addressing periods of startup, shutdown, and malfunction (SSM); to add repeat testing and electronic reporting requirements; and to make technical and editorial changes. The EPA is proposing these amendments to improve the effectiveness of the NESHAP. DATES: Comments. **Comments must be received on or before November 4, 2019.**]

9/20/19, [Withdrawal of Direct Final Rule, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines](#); 49470 [Because the U.S. Environmental Protection Agency (EPA) received adverse comment, we are withdrawing the direct final rule amending the Standards of Performance for Stationary Compression Ignition Internal Combustion Engines published on July 5, 2019. DATES: The direct final rule published on July 5, 2019 (84 FR 32084), is withdrawn effective September 20, 2019.]

9/20/19, [Notice of Public Hearing, Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review](#), 49497-49498 [On August 28, 2019, the Administrator of the U.S. Environmental Protection Agency (EPA) signed the proposed rulemaking, “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review.” The EPA also requested public comment on the proposed action. The EPA is announcing that it will hold a public hearing to provide interested parties the opportunity to present data, views, or arguments concerning the proposed action. DATES: The EPA will hold a public hearing on October 17, 2019, in Dallas, Texas.

Please refer to the SUPPLEMENTARY INFORMATION section of the Federal Register for additional information on the public hearing.]

Nancy Larson KS Small Business Environmental Assistance Program 9/23/2019

Are you familiar with [EPA's Advance Program](#)? Is your community one the 36 areas actively participating, taking proactive steps to keep your air clean by promoting local actions to reduce ozone and/or PM? Take a look at the attached that lists numerous funding opportunities focused around air quality.

Rhonda Wright US EPA 9/18/2019

Earlier today, the acting Administrator for Air signed a notice requesting voluntary submissions of data on volatile organic compound emissions from animal confinement processes and manure storage and treatment processes at broiler, egg-layer, swine, and dairy animal feeding operations (AFOs). EPA is developing emission estimating methodologies for AFOs and is providing this opportunity for the public to supplement the information it has already collected. In 2005, through a voluntary consent agreement known as the Air Compliance Agreement, federal agencies and the AFO industry committed to methodologies to estimate air emissions from these sources. [A pre-publication version of the notice is available on our website.](#)

Rhonda Wright US EPA 9/17/2019

FYI, in case you hadn't heard, EPA announced the ANPRM approach publicly on Friday afternoon. <https://www.epa.gov/hazardous-air-pollutants-ethylene-oxide/ethylene-oxide-updates>
<https://news.bloombergenvironment.com/environment-and-energy/epa-delays-tighter-air-pollution-limits-for-carcinogen-ethylene-oxide>

Rhonda Wright US EPA 9/17/2019

Subject: Proposed Risk and Technology Review Amendments - Iron and Steel Foundries

Hey all – this afternoon the Administrator signed the proposed RTR for Iron and Steel Foundries. This rule covers both major and area sources.

EPA has evaluated the risks remaining after fully implementing the National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries facilities and determined that risks from this source category are acceptable. In addition, the Agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is proposing no significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to protect public health and the environment. EPA is proposing minor amendments to the existing regulations. These proposed amendments to the major source and area source regulations clarify that the standards are applicable during periods of startup, shutdown and malfunction and require electronic reporting of performance test results. [A pre-publication version of the proposal and a summary fact sheet are available on the web.](#)

Nancy Larson KS Small Business Environmental Assistance Program 9/12/2019

EPA, U.S. Army Repeal 2015 Rule Defining “Waters of the United States” Ending Regulatory Patchwork

WASHINGTON — At an event in Washington, D.C., U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler and Department of the Army Assistant Secretary of the Army for Civil Works R.D. James announced that the agencies are repealing a 2015 rule that impermissibly expanded the definition of “waters of the United States” (WOTUS) under the Clean Water Act. The agencies are also recodifying the longstanding and familiar regulatory text that existed prior to the 2015 Rule—ending a regulatory patchwork that required implementing two competing Clean Water Act regulations, which has created regulatory uncertainty across the United States.

“Today, EPA and the Department of the Army finalized a rule to repeal the previous administration’s overreach in the federal regulation of U.S. waters and recodify the longstanding and familiar regulatory text that previously existed,” **said EPA Administrator Andrew Wheeler.** “Today’s Step 1 action fulfills a key promise of President Trump and sets the stage for Step 2 – a new WOTUS definition that will provide greater regulatory certainty for farmers, landowners, home builders, and developers nationwide.”

“Today, Administrator Wheeler and I signed a final rule that repeals the 2015 Rule and restores the previous regulatory regime exactly how it existed prior to finalization of the 2015 Rule,” **said R.D. James, Assistant Secretary of the Army for Civil Works.** “Before this final rule, a patchwork of regulations existed across the country as a result of various judicial decisions enjoining the 2015 Rule. This final rule reestablishes national consistency across the country by returning all jurisdictions to the longstanding regulatory framework that existed prior to the 2015 Rule, which is more familiar to the agencies, States, Tribes, local governments, regulated entities, and the public while the agencies engage in a second rulemaking to revise the definition of ‘waters of the United States.’”

Today’s rule is the first step—Step 1—in a two-step rulemaking process to define the scope of “waters of the United States” that are regulated under the Clean Water Act. Step 1 provides regulatory certainty as to the definition of “waters of the United States” following years of litigation surrounding the 2015 Rule.

The two federal district courts that have reviewed the merits of the 2015 Rule found that the rule suffered from certain errors and issued orders remanding the 2015 Rule back to the agencies. Multiple other federal district courts have preliminarily enjoined the 2015 Rule pending a decision on the merits of the rule. In this action, EPA and the Army jointly conclude that multiple substantive and procedural errors warrant a repeal of the 2015 Rule. For example, the 2015 Rule:

- Did not implement the legal limits on the scope of the agencies’ authority under the Clean Water Act as intended by Congress and reflected in Supreme Court cases.
- Failed to adequately recognize, preserve, and protect the primary responsibilities and rights of states to manage their own land and water resources.
- Approached the limits of the agencies’ constitutional and statutory authority absent a clear statement from Congress.
- Suffered from certain procedural errors and a lack of adequate record support as it relates to the 2015 Rule’s distance-based limitations.

With this final repeal, the agencies will implement the pre-2015 regulations, which are currently in place in more than half of the states, informed by applicable agency guidance documents and consistent with Supreme Court decisions and longstanding agency practice. The final rule takes effect 60 days after publication in the Federal Register.

In December 2018, EPA and the Army proposed a new definition—Step 2—that would clearly define where federal jurisdiction begins and ends in accordance with the Clean Water Act and Supreme Court precedent. In the proposal, the agencies provide a clear definition of the difference between federally regulated waterways and those waters that rightfully remain solely under state authority.

Additional information is available at: <http://www.epa.gov/wotus-rule>.

Background

The final Step 1 rule follows President Trump’s Executive Order 13778, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.” Section 1 of the Executive Order states that “[i]t is in the national interest to ensure that the Nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.” The Executive Order also directs the EPA and the Department of the Army to review the 2015 Rule for consistency with the policy outlined in Section 1 of the order and to issue a proposed rule rescinding or revising the 2015 Rule as appropriate and consistent with law.

Sara Johnson NH Small Business Environmental Assistance Program 9/11/2019

Recent Federal Registers -

9/12/19, Notification of Availability and Request for Comments, Stationary Source Audit Program (Parts 51, 60, 61 and 63) <https://www.govinfo.gov/content/pkg/FR-2019-09-11/pdf/2019-19573.pdf> [EPA is providing notification that one of the two accredited providers of audit samples for the stationary source audit program has ceased manufacturing samples. The general provisions require that the owner or operator of an affected facility required to conduct performance testing obtain audit samples if the audit samples are “commercially available” and have defined “commercially available” to mean that two or more independent accredited audit sample providers have blind audit samples available for purchase. Since there are no longer two providers, the requirement to obtain these audit samples is no longer in effect until such time as another independent accredited audit sample provider has audit samples available for purchase. The EPA is providing a 90- day comment period during which interested persons may provide comments on the suspension of the stationary source audit program and the effectiveness of the program prior to its suspension. **Comments must be received on or before December 10, 2019.**]

9/9/19, Proposed Rule, NESHAP: [Cellulose Products Manufacturing Residual Risk and Technology Review, 47346-47404](#) [EPA is proposing amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Cellulose Products Manufacturing to address the results of the residual risk and technology review (RTR) that the EPA is required to conduct under the Clean Air Act (CAA). The EPA is proposing to amend provisions addressing periods of startup, shutdown, and malfunction (SSM); to add provisions regarding periodic emissions testing and electronic reporting; to provide more flexibility for monitoring requirements; and to make technical and editorial changes. While the proposed amendments would not result in reductions in emissions of hazardous air pollutants (HAP), this action, if finalized, would result in improved monitoring, compliance, and implementation of the rule. **Comments must be received on or before October 24, 2019.**]

9/6/19, Proposed Rule, NESHAP: [Plywood and Composite Wood Products Residual Risk and Technology Review, 47074-47114](#) [EPA is proposing amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Plywood and Composite Wood Products (PCWP) to address the results of the residual risk and technology review (RTR) that the EPA is required to conduct under the Clean Air Act (CAA). The EPA is proposing to amend provisions addressing periods of startup, shutdown and malfunction (SSM); add provisions regarding electronic reporting; add repeat emissions testing requirements; and make technical and editorial changes. The EPA is proposing these amendments to improve the effectiveness of the NESHAP. While the proposed amendments would not result in reductions in emissions of hazardous air pollutants (HAP), this action, if finalized, would result in improved monitoring, compliance, and implementation of the rule. **Comments must be received on or before October 21, 2019.**]

9/4/19, Proposed Rule, NESHAP: [Miscellaneous Coating Manufacturing Residual Risk and Technology Review, 46610-46651](#) [EPA is proposing the results of a residual risk and technology review (RTR) of the National Emission Standards for Hazardous Air Pollutants for Miscellaneous Coating Manufacturing (MCM NESHAP) facilities, as required by the Clean Air Act (CAA). The EPA is proposing to find risks due to emissions of air toxics to be acceptable from the MCM source category and to determine that the current NESHAP provides an ample margin of safety to protect public health. The EPA identified no new cost effective controls under the technology review to achieve further emissions reductions from process units subject to standards under the NESHAP. The EPA is also proposing revisions related to emissions during periods of startup, shutdown, and malfunction (SSM), including clarifying regulatory provisions for certain vent control bypasses; provisions for electronic reporting of performance test results, performance evaluation reports, compliance reports, and Notification of Compliance Status (NOCS) reports; and provisions to conduct periodic performance testing of oxidizers used to reduce emissions of organic hazardous air pollutants (HAP). **Comments must be received on or before October 21, 2019.**]

Tony Pendola NC Small Business Environmental Assistance Program 9/6/2019

I've seen a lot about the proposed MSW Landfill plans and RTR but haven't seen any posting about the [draft reg nav tool that EPA is looking for comments on](#). U.S. EPA's Office of Air Quality Planning and Standards (OAQPS) has completed the draft version of a new Reg Nav tool for *NSPS Subpart XXX: Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014*. This tool is now available for beta testing by state partners. Please send any comments or questions regarding this draft Reg Nav tool to the listed individuals by **COB on September 13**: Melissa Payne (Payne.Melissa@epa.gov); Brad Johns (Johns.Brad@epa.gov); and, Kelly Poole (kpoole@ecos.org). Background: *Reg Nav tools help the regulated community determine the requirements of specific regulations through a series of directed questions and has initially focused on complex air rules. To date, Reg Nav includes five rules and is an online, interactive tool which does not store or save information.*

Rhonda Wright US EPA 9/6/2019

Proposed Risk and Technology Review Amendments for Ethylene Production: EPA is proposing amendments to the 2002 Ethylene Production National Emission Standard for Hazardous Air Pollutants (NESHAP). EPA has evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the Ethylene Production source category are acceptable and that they provide an ample margin of safety to protect public health and the environment. In addition, the agency identified cost-effective developments in practices, processes or control technologies for heat exchange systems and storage vessels that would further reduce emissions of hazardous air pollutants. EPA is also proposing amendments for flares, pressure relief device releases and the decoking of ethylene cracking furnaces, and clarifying that the standards are applicable during periods of startup, shutdown and malfunction. This proposal also includes electronic reporting of notification of compliance status reports and performance test results and reports. These amendments are being proposed to go into effect upon an affected source's initial startup or within three years from promulgation, whichever is later. [We have pre-publication version of the notice and a summary fact sheet on the web.](#)

Policy Assessment for the Review of the National Ambient Air Quality Standards for Particulate Matter, External Review Draft - EPA is releasing its draft Policy Assessment, a component of the Agency's ongoing review of the particle pollution standards. This document, when final, will serve as a source of policy-relevant information to inform the Agency's review of the National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM). This draft Policy Assessment is released in accordance with then-Administrator Pruitt's May 2018 memorandum announcing the Agency's intent to conduct this review of the PM NAAQS to ensure that any necessary revisions to the standards are finalized by December 2020. The Clean Air Scientific Advisory Committee (CASAC) as well as the public will review the draft Policy Assessment. [External review draft](#).

CMAQ Model v5.3 - ORD asked us to share the flyer below with State/Local and Tribal Agencies about their new modeling system release.

[EPA Releases 5.3 Version of the Community Multiscale Air Quality Modeling System \(CMAQ\) for Use in Air Quality Management](#)

The U.S. EPA announces the release of the Community Multiscale Air Quality (CMAQ) model version 5.3, used by air quality managers and researchers worldwide to support air quality management and study air pollution. States use the open source CMAQ model to develop and assess implementation actions needed to attain the National Ambient Air Quality Standards (NAAQS) under the Clean Air Act. The model simulates air pollutants including ozone, particulate matter (PM) and air toxics.

What's new in CMAQv5.3?

- Simplified emissions scaling and mapping
- Increased emphasis on pollutants originating outside the U.S.
- Expanded capability for ecological applications

- Enhanced scientific complexity with faster run times
- Integrated Source Apportionment Method (CMAQ-ISAM) and Sulfur Tracking Method (CMAQ-STM)
- Additional details available in our [Fact Sheet](#)

Learn more about CMAQ on our [webpage](#).

Download the source code and scripts, and access all documentation for this release from the USEPA GitHub repository, <https://github.com/USEPA/CMAQ>

Access the fully revised [User's Guide and tutorials](#)

Find user support, including training courses and other software products at the [Community Modeling and Analysis System Center \(CMAS\) Center](#).

Nancy Larson KS Small Business Environmental Assistance Program 9/4/2019

Methylene Chloride Consumer Paint and Coating Removal Rule Implementation - EPA Issues Compliance Guide to Assist Small Entities

Today EPA released new guidance to help methylene chloride processors and distributors comply with the March 2019 rule under section 6(a) of the Toxic Substances Control Act (TSCA) prohibiting the manufacture (including import), processing, or distribution in commerce of methylene chloride for consumer paint and coating removal. The [final rule](#) became effective on May 28, 2019. Requirements for downstream notification and recordkeeping for all manufacturers, processors, and distributors of methylene chloride (excluding retailers) went into effect on August 27, 2019.

The guide describes the requirements EPA has established to address unreasonable risks from the use of methylene chloride in consumer paint and coating removal. The guide also

- defines key terms,
- identifies the regulated entities,
- describes the required or prohibited activities, and
- summarizes the downstream notification and recordkeeping requirements.

The small entities directly regulated by this rule include:

- processors (since they formulate paint and coating removers containing methylene chloride),
- distributors of methylene chloride
- distributors of paint and coating removers containing methylene chloride, and
- retailers.

The rule is fully effective on November 22, 2019, when prohibitions on manufacturing (including importing), processing, or distributing methylene chloride for consumer paint and coating removal go into effect. This includes a prohibition on distributing any methylene chloride for paint and coating removal to or by retailers, including e-commerce retailers. For more details, the [full compliance guide](#) is now available.

Nancy Larson KS Small Business Environmental Assistance Program 9/4/2019

I recently saw the Promotions subcommittee mention we are going to be celebrating 30 years of the CAAA's 507 program next year and it reminded me to share that in Kansas we are celebrating the 30th Anniversary of our agency, The Pollution Prevention Institute or PPI. We just published a 90-second video on our [Homepage](#) and invite you to check it out. We would love to have your feedback!

Sara Johnson NH Small Business Environmental Assistance Program 9/3/2019

Federal Register Notices –

8/22/19, [Proposed Rules, Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014, Pages 43745-43757](#) [FR DOC# 2019-17822] [EPA proposes a federal plan to implement the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (2016 MSW Landfills EG) for existing MSW landfills located in states and Indian country where state plans or

tribal plans are not in effect. This proposed MSW Landfills Federal Plan includes the same elements as required for a state plan: Identification of legal authority and mechanisms for implementation; inventory of designated facilities; emissions inventory; emission limits; compliance schedules; a process for the EPA or state review of design plans for site-specific gas collection and control systems (GCCS); testing, monitoring, reporting and record keeping requirements; public hearing requirements; and progress reporting requirements. Additionally, this action summarizes implementation and delegation of authority of the MSW Landfills Federal Plan. **Comments must be received on or before October 7, 2019.]**

8/26/19, [Final Rule, Adopting Requirements in Emission Guidelines for Municipal Solid Waste Landfills, 44547-44556](#) [EPA is amending the 2016 Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills ("MSW Landfills EG"). The general requirements for state and federal plans implementing emission guidelines (EG) are referred to as implementing regulations, which are cross-referenced in the MSW Landfills EG. In a separate regulatory action titled "Revisions to Emission Guidelines Implementing Regulations," the EPA finalized changes to modernize the implementing regulations governing EG under a new subpart. This action updates the cross-references to the implementing regulations in the MSW Landfills EG to harmonize with the new requirements for state and federal plans. DATES: Effective date: **The final rule is effective on September 6, 2019. Compliance date: States must submit state plans by August 29, 2019.]**

9/3/19, [Proposed Rule, NESHAP: Site Remediation Residual Risk and Technology Review, 46138-46182](#) [EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Site Remediation source category. This proposal presents the results of the residual risk and technology review (RTR) conducted as required under the Clean Air Act (CAA). Based on the results of the residual risk review, the EPA is proposing that risks due to emissions of air toxics are acceptable and that no revision to the standards is required to provide an ample margin of safety to protect public health. Based on the technology review, we are proposing to amend the requirements for leak detection and repair (LDAR). In addition, the EPA is proposing amendments to revise regulatory provisions pertaining to emissions during periods of startup, shutdown and malfunction (SSM), including adding requirements for pressure relief devices; to add requirements for electronic submittal of semiannual reports and performance test results; to clarify provisions pertaining to open-ended valves and lines; and to make minor clarifications and corrections. The proposed revisions to the rule would increase the level of emissions control and environmental protection provided by the Site Remediation NESHAP. We are also requesting additional comment related to subcategorization of sources relating to certain exemption provisions of the original rule that were proposed for removal in 2016. **Comments must be received on or before October 18, 2019.]**

Rhonda Wright US EPA 8/29/2019

Yesterday, the Administrator signed proposed amendments to the 2016 New Source Performance Standards (NSPS) for the Oil and Natural Gas Industry that would remove regulatory duplication and save the industry millions of dollars in compliance costs each year, while maintaining health and environmental protection from oil and gas sources that the Agency considers appropriate to regulate. The proposed amendments would remove all sources in the transmission and storage segment of the oil and natural gas industry from regulation under the NSPS, both for volatile organic compounds (VOCs) and greenhouse gases (GHGs). The existing NSPS regulates greenhouse gases through limitations on emissions of methane. The amendments also would rescind the methane requirements in the existing NSPS that apply to sources in the production and processing segments of the industry. As an alternative, EPA also is proposing to rescind the methane requirements that apply to all sources in the oil and natural gas industry, without removing any sources from the current source category. [Materials will be posted here.](#)

Tony Pendola NC Small Business Environmental Assistance Program 8/29/2019

Via Jordan Pic, Special Advisor, Intergovernmental Affairs, U.S. Environmental Protection Agency: Please find below the EPA's proposed updates to the prior administration's national standards for the oil and natural gas industry. Please do not hesitate to reach out if you have any questions.

EPA Proposes Updates to Air Regulations for Oil and Gas to Remove Redundant Requirements and Reduce Burden

WASHINGTON (August 29, 2019) – The U.S. Environmental Protection Agency (EPA) proposed updates to the prior administration's national standards for the oil and natural gas industry. The proposal would remove regulatory duplication and save the industry millions of dollars in compliance costs each year – while maintaining health and environmental regulations on oil and gas sources that the agency considers appropriate.

Today's proposal is the result of EPA's review of the 2016 New Source Performance Standards (NSPS) for the oil and natural gas industry, which was conducted in response to President Trump's Executive Order 13783 - Promoting Energy Independence and Economic Growth. That order directs agencies to review existing regulations that potentially "burden the development or use of domestically produced energy resources," including oil and natural gas.

EPA's regulatory impact analysis estimates that the proposed amendments would save the oil and natural gas industry \$17-\$19 million a year, for a total of \$97-\$123 million from 2019 through 2025.

"EPA's proposal delivers on President Trump's executive order and removes unnecessary and duplicative regulatory burdens from the oil and gas industry," said **EPA Administrator Andrew Wheeler**. "The Trump Administration recognizes that methane is valuable, and the industry has an incentive to minimize leaks and maximize its use. Since 1990, natural gas production in the United States has almost doubled while methane emissions across the natural gas industry have fallen by nearly 15%. Our regulations should not stifle this innovation and progress."

EPA is co-proposing two actions, both of which would remove unnecessary regulatory duplication in the 2016 rule. In its primary proposal, the agency would remove sources in the transmission and storage segment of the oil and gas industry from regulation. These sources include transmission compressor stations, pneumatic controllers, and underground storage vessels. The agency is proposing that the addition of these sources to the 2016 rule was not appropriate, noting that the agency did not make a separate finding to determine that the emissions from the transmission and storage segment of the industry causes or significantly contributes to air pollution that may endanger public health or welfare. The primary proposal also would rescind emissions limits for methane, from the production and processing segments of the industry but would keep emissions limits for ozone-forming volatile organic compounds (VOCs). These sources include well completions, pneumatic pumps, pneumatic controllers, gathering and boosting compressors, natural gas processing plants and storage tanks. The controls to reduce VOCs emissions also reduce methane at the same time, so separate methane limitations for that segment of the industry are redundant.

In an alternative proposal, EPA would rescind the methane emissions limitations without removing from regulation any sources from the transmission and storage segment of the industry.

The agency also is seeking comment on alternative interpretations of EPA's legal authority to regulate pollutants under section 111(b)(1)(A) of the Clean Air Act.

This proposal is in addition to a September 2018 technical action that proposed targeted improvements to help streamline implementation, reduce duplication of EPA and state requirements, and significantly decrease unnecessary burdens on domestic energy producers. EPA is currently reviewing comments received on that technical package and expects to issue a final rule in the upcoming months.

EPA will take comment on the proposal for 60 days after it is published in the Federal Register and will hold a public hearing. Details of the hearing will be announced shortly.

[More information, including a pre-publication version of the Federal Register notice and a fact sheet, is available. Link to proposal Link to fact sheet](#)

It is interesting to note that the topic for the September 2019 SBEAP Technical call is the Oil & Gas Extraction industry.

I believe Catherine Tunis, US EPA and Jesse Pritts, US EPA, Office of Water will be speaking as well as one or more others which may or may not include this proposal.

Rhonda Wright US EPA 8/28/2019

Earlier today the Administrator signed the proposed Risk and Technology Review for Taconite Iron Ore Processing.

EPA has evaluated the risks remaining after fully implementing the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing facilities and determined that risks from this source category are acceptable. In addition, the Agency identified no developments in practices, processes, or control technologies that would further reduce emissions of hazardous air pollutants (HAP). EPA is proposing no significant changes to the original NESHAP for this source category and has determined the standards continue to provide an ample margin of safety to public health and the environment.

EPA is proposing only minor amendments to the existing regulation. These proposed amendments clarify that the standards are applicable during periods of startup, shutdown, and malfunction (SSM); require electronic reporting of performance test results; reduce the duration of each compliance test run from two hours to one hour; and remove a quarterly internal baghouse inspection requirement because the baghouses are being continuously monitored with bag leak detection systems.

This action also addresses a pending petition for review filed in 2004 by the National Wildlife Federation by determining that a certain type of amphibole cleavage fragment, emitted by only one facility and known as elongated mineral particulate (EMP), does not fit the definition of any listed HAP. Therefore, it should not be directly regulated by the NESHAP. In fact, EMP are a component of particulate matter and are already minimized at a maximum achievable control technology level by the original rule. [A pre-publication version of the proposal and a summary fact sheet are posted on the web.](#)

Rhonda Wright US EPA 8/28/2019

Yesterday evening we posted on the web the Integrated Review Plan (IRP) for the review of the ozone National Ambient Air Quality Standards (NAAQS). This document is part of the planning phase of the NAAQS review and lays out the current plan, projected timeline and process for conducting the review. The IRP also identifies key policy-relevant issues or questions intended to guide the review. A draft IRP was issued for public comment in October 2018 and reviewed by the Clean Air Act Scientific Advisory Committee in November 2018. EPA follows three general steps to review a National Ambient Air Quality Standard: (1) planning, (2) assessment, and (3) decision making. EPA expects to release a draft Integrated Science Assessment for external review in September 2019 and to propose a decision in the spring of 2020. [You can find the IRP here.](#) [More information regarding the current ozone NAAQS review is available.](#)

Rhonda Wright US EPA 8/27/2019

Adopting Requirements in Emission Guidelines for Municipal Solid Waste Landfills, 44547-44556

<https://www.govinfo.gov/content/pkg/FR-2019-08-26/html/2019-18233.htm>

<https://www.govinfo.gov/content/pkg/FR-2019-08-26/pdf/2019-18233.pdf>

Dianne Wilkins OK Department of Environmental Quality 8/26/2019

Dropping you a Friday afternoon email to let you all know that I've recently added a lot of new content to the Pollution Prevention 101 LibGuide (<https://guides.library.illinois.edu/p2>). New pages include:

- Technology Diffusion and P2 (<https://guides.library.illinois.edu/p2/tech-diffusion>)
- Auto Salvage (<https://guides.library.illinois.edu/p2/sectors/auto-salvage>)

- Food Manufacturing (<https://guides.library.illinois.edu/p2/sectors/food>)
- Painting and Coating (<https://guides.library.illinois.edu/p2/sector/painting>)

I hope you find these helpful. I'm always looking for new materials to add, so if you have a favorite resource that you don't see on here, send me the link and I'll add it. And if you've never used the P2 101 LibGuide, go check it out.

Rhonda Wright US EPA 8/23/2019

Yesterday, the Administrator signed a notice proposing amendments for the Paper and Other Web Coatings NESHAP. EPA evaluated the risks remaining after fully implementing the 2002 Paper and Other Web Coating National Emission Standard for Hazardous Air Pollutants (NESHAP) and determined that risks from this source category are acceptable. In addition, the agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is proposing no significant changes to the original NESHAP for these source categories as a result of the residual risk and technology review and has determined the standards continue to provide an ample margin of safety to protect public health and the environment. [A pre-publication version of the proposal and a summary fact sheet are on the web.](#)

Rhonda Wright US EPA 8/21/2019

Please contact me should you have any questions. On August 20, 2019, the US Court of Appeals for the DC Circuit dismissed a case challenging EPA's January 2018 guidance memo withdrawing the "once-in always-in" policy for the classification of major sources of hazardous air pollutants under section 112 of the Clean Air Act. Under EPA's reading of Clean Air Act definitions of major and area sources, which is discussed in the guidance memo, sources of hazardous air pollutants previously classified as "major sources" may be reclassified as "area" sources at any time, provided the facility limits its hazardous air emissions to levels below major source thresholds. The Court held that the memo was not a final agency action subject to judicial review. On June 25, 2019, the Administrator signed a proposed rule that would add regulatory text to implement the Agency's reading outlined in the January 2018 guidance. EPA is taking comment on this proposal through September 24, 2019.

[Read the Court decision.](#)

[Read the guidance memorandum and proposed rule.](#)

Rhonda Wright US EPA 8/20/2019

Via Jackie Ashley: Good afternoon – Last week, the Administrator signed two actions related to the emissions guidelines for municipal solid waste landfills. A statement is below, and EPA's website is updated. Please notify your stakeholders as appropriate.

Statement: EPA recently issued two actions related to timing and implementation of the 2016 Emission Guidelines for existing Municipal Solid Waste Landfills. One changes the deadline for states to put Clean Air Act 111(d) plans in place for limiting landfill gas emission and provides more time before a federal plan is required. The other is in response to a court order for EPA to issue a federal plan this year. The court order was issued before EPA aligned the planning deadlines to the new implementing regulations.

In the first action, EPA issued a final rule to change plan submission deadlines for the 2016 Emission Guidelines. The final rule aligns state plan timing requirements with the updated Clean Air Act section 111(d) implementing regulations that were finalized with the Affordable Clean Energy rule. State plans are preferred over federal plans, so EPA and states will have additional time – until 2021 -- to work toward getting state plans in place. This is in line with EPA's belief that states should take the lead on implementing 111(d) emission guidelines for sources in their states.

However, EPA acknowledges that there is now a conflict between EPA's current implementing regulations and a pre-existing court order for EPA to put a federal plan in place by November 6, 2019.

EPA is considering whether to seek appropriate relief from the court (e.g. ask the Court to revise the deadline). In the meantime, EPA is continuing work to meet the court-ordered deadline. In the second action, EPA is proposing a federal plan for public comment. The federal plan, if finalized, would apply in states and Indian country where state or tribal plans are not in effect. Upon approval of a state plan, the federal plan would no longer apply to MSW landfills in that state. [More information is available.](#)

Rhonda Wright US EPA 8/20/2019

Today, EPA released guidance to assist states as they develop plans to address visibility impairment for the second implementation period under EPA's Regional Haze Rule. [The guidance is available.](#)

Rhonda Wright US EPA 8/16/2019

Via Jackie Ashley: OAQPS posted updates today to the Air Pollution Control Cost Manual chapter on flares. Please notify your stakeholders as appropriate. Statement: EPA is updating the Air Pollution Control Cost Manual to ensure that the Agency's rules and guidance are based on the most current economic data and air pollution control technology. After reviewing and responding to comments on our May 2017 draft chapter, EPA has released the final, updated chapter on flares. EPA is making each chapter available upon its completion. The Agency expects to complete the update of this full document in 2022. [The final chapter is available.](#)

Nancy Larson KS Small Business Environmental Assistance Program 8/16/2019

SBA Environmental Roundtable Meeting FRIDAY, August 30, 2019 10 a.m. – 11:00 a.m. TO: Interested Persons FROM: Kevin Bromberg, Assistant Chief Counsel; David Rostker, Assistant Chief Counsel; Tabby Zeb, Assistant Chief Counsel SUBJECT: Next SBA Environmental Roundtable Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet to discuss the following topics, beginning at 10 a.m. on Friday, August 30, 2019. The meeting will be held in Washington, D.C., at the Small Business Administration Headquarters, 409 Third Street SW, Eisenhower B Conference Room. Send your RSVP to tayyaba.zeb@sba.gov. Please indicate whether you are attending in person, or by teleconference. Information will be sent out to you when you RSVP. We have adopted a casual attire option for all Roundtable meetings.

Agenda

10:00 – 11:00 AM Proposed Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h) Cindy Wheeler, *Chemical Control Division, Office of Pollution Prevention and Toxics, EPA*

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to kevin.bromberg@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issue for Discussion August 30, 2019 EPA's Proposed Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h)

On July 29, 2019, EPA published a proposed rulemaking for five chemicals that the agency identified as persistent, bioaccumulative and toxic under section 6(h) of the Toxic Substance Control Act (TSCA). The chemicals include decabromodiphenyl ether (DecaBDE); phenol, isopropylated phosphate (PIP 3:1), also known as tris (4-isopropylphenyl) phosphate; 2,4,6-tris(tert-butyl)phenol (2,4,6 TTBP);

hexachlorobutadiene (HCBD); and pentachlorothiophenol (PCTP). For four of these chemicals, the agency is proposing to prohibit the manufacture (including import), processing and distribution for many uses including their use in products and articles with some exemptions. The agency has proposed no regulatory action for HCBD. These risk management decisions are based on exposure and use assessments; the agency did not conduct risk evaluations for these chemicals. Other proposed requirements include recordkeeping and downstream notification (only for PIP 3:1).

EPA certifies that this proposal will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act. In its economic analysis, the agency presents its estimation of small business impacts; however, it has done so with limitations on information on the extent and structure of the markets for the relevant chemicals that result in some uncertainty in these estimates.

Rhonda Wright US EPA 8/15/2019

Via Jackie Ashley, EPA: Today, the EPA Administrator signed the proposed rule “National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing Residual Risk and Technology Review.” [A pre-publication version of the rule and a fact sheet are posted to the web.](#)

Statement: On August 15, 2019, EPA proposed minor amendments to the 2003 Miscellaneous Coating Manufacturing National Emission Standard for Hazardous Air Pollutants (NESHAP). EPA has evaluated the risks remaining after fully implementing the NESHAP and determined that risks from the miscellaneous coating manufacturing source category are acceptable. In addition, the Agency identified no developments in practices, processes or control technologies that would further reduce emissions of hazardous air pollutants. EPA is proposing minor amendments to enhance the effectiveness of the rule by improving compliance and implementation. EPA will accept comment on the proposal for 45 days after publication in the *Federal Register*. [More information is available.](#)

Rhonda Wright US EPA 8/14/2019

Via Corey A. Mocka, EPA: Yesterday, the acting Assistant Administrator for the Office of Air and Radiation signed a proposed action titled “Error Correction of the Area Designations for the 2010 1-Hour Sulfur Dioxide (SO₂) Primary National Ambient Air Quality Standard (NAAQS) in Freestone and Anderson Counties, Rusk and Panola Counties, and Titus County in Texas.” A prepublication version of the notice is posted [here](#). Please share this information with your key stakeholders.

Rhonda Wright US EPA 8/13/2019

[Prevention of Significant Deterioration and Nonattainment New Source Review: Project Emissions Accounting. 39244-39254](#)

Rhonda Wright US EPA 8/9/2019

Via Scott Mathias, Acting Director, Air Quality Policy Division, EPA: I am happy to announce that EPA is releasing a non-binding guidance document titled “Exceptional Events Guidance: Prescribed Fire on Wildland that May Influence Ozone and Particulate Matter Concentrations (*Prescribed Fire Guidance*).” This guidance is intended to assist air agencies in preparing demonstrations for prescribed fire events that satisfy the requirements of the Exceptional Events Rule. [I have attached the document to this email and you will also find it on our exceptional events webpage.](#) Consistent with the December 2018 Executive Order on Promoting Active Management of America’s Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk, EPA and its Federal partners support the promotion of healthy and resilient forests, rangelands, and other Federal lands by actively managing them through partnerships with States, tribes, communities, non-profit organizations, and the private sector. The Prescribed Fire Guidance is part of EPA’s broader efforts to facilitate the 2016 Exceptional Events Rule implementation process.

Thank you to those air agencies that provided feedback on the draft *Prescribed Fire Guidance*. Your valuable input helped to improve the product and provided insights into ways we can further strengthen our rule implementation efforts. I sincerely hope you will find this document to be a useful resource for exceptional events implementation.

Laura Mckelvey US EPA 8/8/2019

FYI please share as appropriate. Yesterday the Administrator signed a final action “Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standards” [“A prepublication version of the notice and a summary fact sheet are posted.”](#)

Tony Pendola NC Small Business Environmental Assistance Program 8/8/2019

GreenEarth Cleaning announced an initiative to help reduce the amount of microplastic fibers that are discharged into wastewater treatment systems as a result of laundering synthetic materials, such as polyester, nylon or acrylic.

GreenEarth is joining with the Plastic Soup foundation and PlanetCare in the effort which the company announced during the Clean Show in New Orleans in June. They will be testing and installing washing machine filters designed and manufactured by PlanetCare, a Slovenian company. GreenEarth has performed alpha testing on PlanetCare’s initial filter designs and will begin beta testing at selected GreenEarth locations in California. A U.S. national rollout is scheduled for 2020.

“While we have been focused on achieving maximized sustainability in drycleaning over our 20 year history, we welcome the opportunity to turn our attention to the emission problems associated with the laundry side of our affiliates’ business,” said Ron Benjamin, co-founder and managing director of GreenEarth Cleaning. “We intend to provide operational and financial support for Plastic Soup’s overall mission.”

GreenEarth said its affiliates wash some 25 million shirts annually in the United States and the company will be Plastic Soup’s exclusive partner in the endeavor.

Plastic Soup’s mission is “No plastic waste in our water!” and it aims to tackle the issue at its sources.

Maria Westerbos, founder and director of the Plastic Soup Foundation, said, “We’re excited to enter into this joint effort with Green Earth and PlanetCare as we continue to seek ways to meet our mission of having no plastic waste in our water!”

Plastic Soup’s website is www.plasticsoupfoundation.org.

Rhonda Wright US EPA 8/6/2019

Please help EPA promote this event. The purpose of this call is to address questions and concerns that were raised on the recently published Municipal Solid Waste Landfills rule. This call is open to all small business owners and representatives that have an interest. OAQPS will meet in Room C300C.

Here’s a brief summary on the MSW Landfills rule:

Proposed Amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Municipal Solid Waste (MSW) Landfills

On July 29, 2019, the US. Environmental Protection Agency (EPA) published amendments to the 2003 Municipal Solid Waste (MSW) Landfills National Emission Standards for Hazardous Air Pollutants (NESHAP). The following fact sheet provide more information on this proposed action. EPA is proposing minor amendments to the 2003 Municipal Solid Waste (MSW) Landfills National Emission Standards for Hazardous Air Pollutants (NESHAP). EPA conducted a NESHAP residual risk and technology review, which are periodically required by the Clean Air Act. The agency has determined that risks for this source category are acceptable and has identified no improvements in technologies, processes or practices that would result in further emission reductions. The current standards continue to protect public health with an ample margin of safety. This proposed action clarifies that the standards are applicable during periods of startup, shutdown and malfunctions. While the proposed rule will not result in further emission

reductions, this action will improve monitoring, compliance and implementation. The RTR proposal would adopt many of the monitoring and reporting requirements that were finalized in the 2016 New Source Performance Standards (NSPS) and Emission Guidelines (EG) for this source category. Aligning these requirements will allow these sources to streamline their compliance and reporting for multiple rules. EPA will accept comment on the proposed amendments for 45 days after publication in the *Federal Register*. [The published version of the notice and a summary fact sheet are available.](#)

Sara Johnson NH Small Business Environmental Assistance Program 8/6/2019

In 2017, NH recorded a PSA for the radio. We paid \$250 to have NH radio stations to play it for the month of August. The radio stations used \$15,000 worth of air time for the PSA. We were pretty happy with that. This year, we had a summer intern take the same voice recording and make an [animated video for YouTube](#). We are promoting this video thru Twitter and Facebook. I hope you take one minute and 10 seconds of your time to watch the video. I would love to see the number of views increase.

Laura Mckelvey US EPA 8/1/2019

Please be aware, EPA is proposing to clarify the process for evaluating whether the New Source Review (NSR) permitting program would apply to proposed projects at existing air pollution sources. This proposal would make it clear that both emissions increases and decreases from a major modification at an existing source are to be considered during Step 1 of the two-step NSR applicability test. This process is known as project emissions accounting (previously referred to as project netting.) [A pre-publication version of the proposal and a summary fact sheet are available.](#)

Tony Pendola NC Small Business Environmental Assistance Program 7/31/2019

Attached is an invitation from the SBA National Ombudsman's office to participate in the **SBA National Ombudsman's Regulatory Fairness Hearing** to be held here in Washington, DC on Monday, August 19, 2019 from 1:00 p.m. until 4:00 p.m. **The SBA Office of the National Ombudsman is responsible for investigating and resolving unfair regulatory actions or excessive penalties by federal agencies against small businesses.** The National Ombudsman's office would like to hear from you or your members about these topics. [Here is a link to the event Eventbrite to register.](#) You can also visit the [SBA Office of the National Ombudsman's website.](#)

John Podolinsky MT Small Business Environmental Assistance Program 7/24/2019

If you find time, watch the video on carbon neutral concrete in this [CNN news link](#). Carbon Cure Technology sequesters CO2 within concrete as it's made/cures. I'd be interested if anyone has had experience with this technology.

R Tony Pendola NC Small Business Environmental Assistance Program 7/23/2019

Since we have a lot of newer folks, let me emphasize the biggest blunder that can be made in this industry that we all work so closely with and is very off-putting to them.

CEMENT is a component of CONCRETE

CEMENT is made in a huge kiln at such high temperatures that hazardous material is often mixed in with natural minerals.

CONCRETE is made from CEMENT, water, sand, aggregates, and often supplements like flyash and admixture chemicals. Therefore, the truck that takes it away is a CONCRETE truck!

PS – ALL Ready-Mix Concrete plants in NC are exempt because they don't emit much! NC doesn't have a cement plant but they have their own EPA rule.

Thanks for this article John. I don't have any experience, but see lots of potential since conceivably RMC plants could get their CO2 for free by sequestering someone else's byproduct.

R Donovan Grimwood TN Small Business Environmental Assistance Program 7/23/2019

I sent the article to one of our CAP members who is the ED for the TN Concrete Association. Here were his comments: "I have seen this article (and I think it is misleading) but I had not viewed the video. I am, however, familiar with Carbon Cure and their technology. In fact, IMI recently installed this system at three MD TN plants so it is available here. Carbon Cure does not produce Carbon-neutral concrete (nor do they make this claim) but their technology does reduce the amount of CO₂ in concrete." So, it does seem that the article might over exaggerate the concrete sequestration, but it does have some benefits.

R Mark Stoddard IN Compliance & Technical Assistance Program 7/24/2019

Another perspective is the extraction of carbon dioxide in the gas phase to precipitate a Carbonic Acid which can further react with Calcium Oxide and Magnesium Oxide to form Calcium and Magnesium Carbonates. [Source of information.](#)

John Podolinsky MT Small Business Environmental Assistance Program 7/17/2019

Air Pollution Trends Show Cleaner Air, Growing Economy

WASHINGTON (July 17, 2019) — Today, the U.S. Environmental Protection Agency (EPA) released its annual report on air quality, tracking our nation's progress in improving air quality since the passage of the Clean Air Act. "Our Nation's Air: Status and Trends Through 2018" documents the considerable improvements in air quality across America since 1970.

"One of America's great but untold environmental success stories is that we have made – and continue to make – great improvements in our air quality, thanks largely to state and federal implementation of the Clean Air Act and innovation in the private sector," said **EPA Administrator Andrew**

Wheeler. "Emissions of all key air pollutants dropped between 2016 and 2018, and lead and sulfur dioxide concentrations dropped by double-digit percentages during the same period. The U.S. is a global leader in clean air progress, and we've proven that we can protect the environment while growing our economy."

The report released today shows that, between 1970 and 2018, the combined emissions of six key pollutants dropped by 74 percent, while the U.S. economy grew 275 percent.

From 2016 to 2018, emissions of key air pollutants continued to decline:

- ☐ Nitrogen Oxides (NO_x) ↓ 8.7 percent
- ☐ Particulate Matter 2.5 (PM 2.5) ↓ 1.9 percent
- ☐ Particulate Matter 10 (Including lead) (PM 10) ↓ 1.2 percent
- ☐ Sulfur Dioxide (SO₂) ↓ 7.8 percent
- ☐ Carbon monoxide (CO) ↓ 7.2 percent
- ☐ Volatile Organic Compounds (VOC) ↓ 3.3 percent

In addition, average concentrations of harmful air pollutants decreased considerably across our nation between 1990 and 2018:

- ☐ Ground-level ozone (8-hour) ↓ 21 percent
- ☐ Fine Particulate Matter (annual) ↓ 39 percent (from 2000)
- ☐ Coarse Particulate Matter (24-hour) ↓ 26 percent
- ☐ Sulfur dioxide (1-hour) ↓ 89 percent
- ☐ Nitrogen dioxide (annual) ↓ 57 percent
- ☐ Lead (3-month average) ↓ 82 percent (from 2010); and
- ☐ Carbon monoxide (8-hour) ↓ 74 percent

EPA examines long-term trends to track the nation's progress in cleaning the air. Air

quality *concentrations* can vary year to year, even as human-caused *emissions* continue to decline.

Variations in weather and natural events such as dust storms and wildfires can have an impact on air quality in affected areas. As a whole, human-caused emissions of the six common pollutants dropped in 2018, continuing the long-term trend. Despite this, the report shows that monitors in some areas logged

increases in concentrations of particulate matter in the outdoor air, due in part to natural events such as wildfires. The increases in these areas had a small, but noticeable, impact on the national average. The report includes interactive graphics that enable citizens, policymakers and stakeholders to view and download detailed information by pollutant, geographic location and year. [Explore the report and download graphics and data here.](#)

The Air Trends report is one of a number of EPA resources tracking pollution trends and showing U.S. progress in improving our environment. Learn more at the following sites:

- ☐ [Clean Air Markets Programs Progress Reports](#)
- ☐ [Toxics Release Inventory Program](#)
- ☐ [EPA's Report on the Environment](#)

John Podolinsky MT Small Business Environmental Assistance Program 7/17/2019

HOUSE PASSES BILL TO TACKLE PFAS CLEANUP

Per- and polyfluorinated substances (PFAS), sometimes referred to as “forever chemicals,” are garnering attention in the news amidst the inclusion of [PFAS provisions](#) in a military spending bill. On July 12, 2019, the House voted to include amendments that address PFAS pollution as part of the National Defense Authorization Act (NDAA) for 2020. This action comes soon after the Administration cited a strong objection to these NDAA PFAS provisions in a [statement](#) released on July 9, 2019.

Remind me why PFAS contamination is a big deal... [click here to get full article](#)

Tony Pendola NC Small Business Environmental Assistance Program 7/16/2019

FYI - OECA has continued to shift its focus to collaborating with regulated entities to ensure compliance vs. fines: [An article regarding the NCI that we commented on.](#)

Nancy Larson KS Small Business Environmental Assistance Program 6/28/2019

Via Laura Mckelvey US EPA: Amendments to the Standards of Performance for New Stationary Compression Ignition Engines Located in Remote Areas of Alaska

The U.S. Environmental Protection Agency issued a direct final rule and parallel proposal to amend the New Source Performance Standards (NSPS) for Stationary Compression Ignition (CI) Internal Combustion Engines. The direct final rule and parallel proposal revises the particulate matter (PM) emission standard for new stationary CI engines located in remote areas of Alaska. The rule specifies that 2014 model year and later stationary CI engines in remote areas of Alaska must meet the Tier 3 standard for PM rather than the Tier 4 standard. [A pre-publication version of the notice and a summary fact sheet are available.](#)

Proposed Amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Municipal Solid Waste (MSW) Landfills

EPA is proposing minor amendments to the 2003 Municipal Solid Waste (MSW) Landfills National Emission Standards for Hazardous Air Pollutants (NESHAP). EPA conducted a NESHAP residual risk and technology review, which are periodically required by the Clean Air Act. The agency has determined that risks for this source category are acceptable and has identified no improvements in technologies, processes or practices that would result in further emission reductions. The current standards continue to protect public health with an ample margin of safety. This proposed action clarifies that the standards are applicable during periods of startup, shutdown and malfunctions. While the proposed rule will not result in further emission reductions, this action will improve monitoring, compliance and implementation. The RTR proposal would adopt many of the monitoring and reporting requirements that were finalized in the 2016 New Source Performance Standards (NSPS) and Emission Guidelines (EG) for this source category. Aligning these requirements will allow these sources to streamline their compliance and reporting for multiple rules. EPA will accept comment on the proposed amendments for 45 days after publication in the *Federal Register*. [A pre-publication version of the notice and a summary fact sheet are available.](#)

Tony Pendola NC Small Business Environmental Assistance Program 6/14/2019

Environmental Disruptors: Craft Brewed Sustainability

When it comes to beer, no one knows innovation better than a craft brewery. These small brewing operations offer creative new takes on a classic drink, experimenting with what they can change at every part of the brewing process. But brewing a single gallon of beer uses about seven gallons of water, most of which is used for industrial processes such as cleaning the bottles and applying the labels. That's why Great Divide Brewing Company, located in Denver, Colorado, is looking to apply their craft expertise to sustainability.

In the latest episode of ELI's People Places Planet Podcast, Kasantha Moodley of ELI's Innovation Lab sits down with Erin Cox, the Quality Management Systems Supervisor at Great Divide. Erin shares her experiences of brewing sustainably, despite being a small operation. We also hear from Kaitlin Urso, an official of the Colorado Department of Public Health and Environment, who shares her knowledge of the key environmental challenges of the industry, being water inefficiency and packaging waste. Listen now to learn more about these industry challenges and the collaborative solutions. Simply visit www.eli.org/podcasts or find us on your favorite podcast app. People Places Planet Podcast provides the public, environmental practitioners, and our members with cutting-edge, thought-provoking conversations about current issues central to environmental law and governance. Our podcasts build upon the pivotal role ELI has played in shaping the fields of environmental law, policy, and management, domestically and abroad, over the last 50 years.

Nancy Larson KS Small Business Environmental Assistance Program 6/7/2019

Administrator Wheeler Signs Final Rule to Add Reporting Exemption Under EPCRA for Air Emissions from Animal Waste

WASHINGTON -- Today, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler signed a final rule amending the emergency release notification regulations under the Emergency Planning and Community Right-to-Know Act (EPCRA). The amendments clarify that reporting of air emissions from animal waste at farms is not required under EPCRA. The final rule comes as first responders across the country have repeatedly reminded the agency that community-specific protocols are determined between local responders and animal producers well in advance of emergencies. These strong partnerships provide a platform for resolving issues when they arise without the need for a national one-size-fits-all approach.

"This final rule provides clarity and certainty to the regulated community that animal waste emissions from farms do not need to be reported under EPCRA," **said EPA Administrator Andrew Wheeler.** "This action eliminates an onerous reporting requirement and allows emergency responders and farmers to focus on protecting the public and feeding the nation, not routine animal waste emissions."

"The goal of emergency response officials and local emergency planning committees (LEPCs) is to prepare communities for emergency threats related to hazardous chemical releases. Such emergency threats do not include 'best guess' reporting on day-to-day emissions on farms and animal operations," **said National Association of SARA Title III Program Officials (NASTTPO) President Tim Gablehouse.** "The focus of LEPCs should be and is on chemical hazards that present meaningful risk of harm to community members and first responders. We look forward to working on enhanced coordination and cooperation between all community members to improve preparedness for hazardous chemical releases." The changes to emergency release reporting regulations reflect the existing relationship between EPCRA and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and provide consistency between the two environmental laws.

Background

On March 23, 2018, President Trump signed into law the Consolidated Appropriations Act, 2018 ("Omnibus Bill"). Title XI of the Omnibus Bill is entitled the "Fair Agricultural Reporting Method Act"

or the “FARM Act.” The FARM Act expressly exempts reporting of air emissions from animal waste (including decomposing animal waste) at a farm from CERCLA section 103. The FARM Act also provides definitions for the terms “animal waste” and “farm.” Because these types of releases are exempted under CERCLA, based on the release reporting criteria under EPCRA section 304, these types of releases are also exempt under EPCRA section 304. On October 30, 2018, then Acting Administrator Wheeler proposed the reporting exemption under EPCRA alongside National Association of SARA Title III Program Officials (NASTTPO) President Tim Gablehouse and various state animal producer trade associations.

[You can read the final rule here.](#) Today’s final rule maintains consistency between the emergency release notification requirements of EPCRA and CERCLA in accordance with the statutory text and framework of EPCRA. For more information, please [see our web page.](#)

Tony Pendola NC Small Business Environmental Assistance Program 6/7/2019

EPA Issues Guidance on Clean Water Act Water Quality Certification

(June 7, 2019) — **WASHINGTON** – As directed by President Trump, today the U.S. Environmental Protection Agency (EPA) released guidance on Section 401 of the Clean Water Act (CWA) that provides recommendations to clarify and streamline the 401 certification process and to promote greater investment in and certainty for national infrastructure projects while continuing to protect local water quality. Under [Executive Order 13868](#), “Promoting Energy Infrastructure and Economic Growth,” EPA was directed to issue guidance for federal permitting agencies and state and authorized tribal authorities to modernize previous guidance and clarify existing CWA Section 401 requirements.

EPA’s “*Clean Water Act Section 401 Certification Guidance for Federal Agencies, States, and Authorized Tribes*” provides clarification and recommendations on CWA Section 401 certifications in the following specific areas:

- Statutory and regulatory timelines for review and action on a CWA Section 401 certification;
- The appropriate scope of CWA Section 401 certification conditions; and
- Information within the scope of a state or authorized tribe’s CWA Section 401 review.

EPA’s new guidance, which replaces EPA’s prior interim guidance from 2010, also provides additional recommendations to federal agencies, states and authorized tribes to promote early collaboration and coordination through the 401 certification process. Executive Order 13868 also directed EPA to propose new rules modernizing the agency’s CWA Section 401 implementing regulations by August 8, 2019. The agency intends to propose regulations that may help further clarify and streamline CWA Section 401 certifications. Since the Executive Order was issued on April 10, 2019, the agency has initiated formal consultations with its state, local, and tribal partners, as well as outreach with its federal partners on this rulemaking effort and invited written pre-proposal recommendations through a public docket. The agency is carefully reviewing the input received through these engagements and the docket prior to issuing a proposed rule.

Background: Section 401 of the CWA provides states and authorized tribes with an important tool to help protect water quality within their borders in collaboration with federal agencies. The rules governing this authority have not been updated in nearly 50 years. In addition, evolving case law and EPA’s outdated guidance have caused some confusion and resulted in delays in certain infrastructure projects with potentially significant national benefits. [Read the guidance and to learn about the CWA Section 401 water quality certification process.](#)

Nancy Larson KS Small Business Environmental Assistance Program 6/4/2019

Forwarded from EPA – [National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans and Surface Coating of Metal Coil Residual Risk and Technology Reviews](#), 25904-25973

Nancy Larson KS Small Business Environmental Assistance Program 5/24/2019

****SBA Environmental Roundtable Meeting****

THURSDAY, May 30, 2019 10 a.m. – 11:00 a.m.

TO: Interested Persons
FROM: Kevin Bromberg, Assistant Chief Counsel
David Rostker, Assistant Chief Counsel
Tabby Waqar, Assistant Chief Counsel

SUBJECT: Next SBA Environmental Roundtable Meeting

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet to discuss the following topics, beginning at 10 a.m. on Thursday, May 30, 2019. The meeting will be held in Washington, D.C., at the Small Business Administration Headquarters, 409 Third Street SW, Eisenhower B Conference Room. Send your RSVP to twaqar@sba.gov. Please indicate whether you are attending in person, or by teleconference. Information will be sent out to you when you RSVP. We have adopted a casual attire option for all Roundtable meetings.

Agenda 10:00 – 11:00 AM Chemical Data Reporting Revisions and Small Manufacturer Definition Update Under TSCA Section 8(a) Susan Sharkey, *Existing Chemicals Branch, Office of Pollution Prevention and Toxics, EPA*

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to kevin.bromberg@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Tony Pendola NC Small Business Environmental Assistance Program 5/22/2019
[EPA Spring 2019 Unified Agenda of Regulatory and Deregulatory Actions.](#)

Tony Pendola NC Small Business Environmental Assistance Program 5/20/2019

Via Laura Mckelvey: This is the link to the proposed rule I spoke about last week that is taking comment on if the rule should require training for using the spray guns as a work practice. National Emission Standards for Hazardous Air Pollutants: [Boat Manufacturing and Reinforced Plastic Composites Production: Residual Risk and Technology Review](#), 22642-22685

Annette Fulgenzi IL Small Business Environmental Assistance Program 5/20/2019

If it requires a hands on component for the spray equipment I think the training is a problem. I think many body shops are out of compliance because the jobbers in the rural areas do not offer classes like the ones in the Chicago area.

Harry Ching NY Small Business Environmental Assistance Program 5/21/2019

Regarding 6H, I spoke with the national training guy at i-Car about ten years ago and he said that he was at the stakeholder meeting or round table with EPA regarding the training component of 6H. He says that EPA was ok with the i-CAR online training/certification and that EPA was ok with having the spray paint operator getting their certification online and completing the hands-on portion by going into their own shop and "practicing" their application techniques/methods.

Tony Pendola NC Small Business Environmental Assistance Program 5/21/2019

You are probably thinking of Gene Lopez and yes, EPA is fine with that per the rule. That is what they just offered with the latest P2 webinar and what AMI will be offering when their class is complete. We talked about this in Chicago.

Sara Johnson NH Small Business Environmental Assistance Program 5/20/2019

Recent Federal Register Notices - May 8, 2019, [Proposed Rule, NESHAP: Engine Test Cells/Standards Residual Risk and Technology Review](#), 20208-20238 [The EPA is proposing the results of the residual risk and technology reviews (RTR) for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Engine Test Cells/Standards. We found risks due to emissions of air toxics from this source category to be acceptable and determined that the current NESHAP provides an ample margin of safety to protect public health. We identified no new cost-effective controls under the technology review to achieve further emission reductions. We are proposing no revisions to the numerical emission limit based on the risk analysis and technology review. We are proposing to amend provisions addressing periods of startup, shutdown, and malfunction (SSM), to amend provisions regarding electronic reporting and to make clarifying and technical corrections. Comments must be received on or before June 24, 2019.]

May 2, 2019, [Proposed Rule, NESHAP: Asphalt Processing and Asphalt Roofing Manufacturing Residual Risk and Technology Review](#) Pages 18926-18965 [FR DOC# 2019-08155] [The EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Asphalt Processing and Asphalt Roofing Manufacturing. The proposed action presents the results of the residual risk and technology review (RTR) conducted as required under the Clean Air Act (CAA). The EPA is also proposing amendments to correct and clarify regulatory provisions related to emissions during periods of startup, shutdown, and malfunction; add requirements for periodic performance testing; add electronic reporting of performance test results and reports, performance evaluation reports, compliance reports, and Notification of Compliance Status reports; revise monitoring requirements for control devices used to comply with the particulate matter (PM) standards; and include other technical corrections to improve consistency and clarity. Although the proposed amendments are not anticipated to result in reductions in emissions of hazardous air pollutants (HAP), if finalized, they would result in improved compliance and implementation of the rule. Comments must be received on or before June 17, 2019.]

Nancy Larson KS Small Business Environmental Assistance Program 5/17/2019

Via Jenifer Dixon: **MDHHS reminds Michiganders to avoid foam on lakes and rivers with high levels of PFAS**

LANSING, Mich. – As the summer recreation season is drawing closer, the Michigan Department of Health and Human Services (MDHHS) is issuing a reminder that everyone should avoid foam on Michigan lakes and rivers known to have per and poly-fluoroalkyl substances (PFAS) in the water. Foam on these water bodies can have much higher amounts of PFAS than the water, and swallowing foam with PFAS could be a health risk.

Health advisories for foam exist on these waterbodies:

- ☐ Van Etten Lake, Oscoda.
- ☐ Lake Margrethe, Grayling.
- ☐ Rogue River, Rockford.
- ☐ Thornapple River, Grand Rapids.
- ☐ Huron River, Southeast Michigan.

Swimming or bathing in water containing PFAS is not a health concern because the amount of PFAS is typically low compared to the foam. Although swallowing PFAS is the main way to get it in your body, an accidental swallow of river or lake water is not a health concern. The amount of PFAS in lake and river water and in foam matters in determining if a health concern exists. MDHHS will continue to evaluate surface water and foam data and will issue further recommendations if necessary. PFAS-containing foam can have high amounts of PFAS. Although, current science indicates PFAS does not move easily through the skin, it's best to rinse off foam after contact and bathe or shower after the day's outdoor activities. None of this information changes recommendations for people's water used at home. An MDHHS evaluation of how young children might recreate on lakes and rivers shows a health risk could exist from repeated, prolonged whole-body contact with foam containing high amounts of PFAS.

Repeated prolonged contact is considered to be three hours per day, five days per week, over three months of a year, representing a summer season. MDHHS' recommendation to avoid foam with PFAS is protective of everyone, including young children.

Additionally, the Michigan Department of Agriculture and Rural Development recommends that people not allow their animals – especially dogs – to come into contact with or swallow the foam. Dogs and other animals can potentially swallow foam collected in their fur when grooming themselves and should be thoroughly rinsed off with fresh water after contact with foamy water.

Not all foam contains PFAS. There is naturally occurring foam that piles up in bays, eddies or river barriers such as dams. This foam is off-white and/or brown in color and may have an earthy or fish smell. PFAS foam:

- ☐ Can be bright white.
- ☐ Is usually lightweight.
- ☐ Can be sticky.
- ☐ Tends to pile up like shaving cream.
- ☐ Can blow onto the beach.

More information about PFAS and foam under the [PFAS Foam](https://www.michigan.gov/pfasresponse) section at [Michigan.gov/pfasresponse](https://www.michigan.gov/pfasresponse).

Nancy Larson KS Small Business Environmental Assistance Program 5/8/2019

Via U.S. EPA Office of Pollution Prevention and Toxics: **EPA to Hold First Meeting of the Science Advisory Committee on Chemicals**

WASHINGTON (MAY 8, 2019) — Today, the U.S. Environmental Protection Agency (EPA) announced it will hold the first meeting of the Science Advisory Committee on Chemicals (SACC) under the Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act (Lautenberg Act), for Pigment Violet 29 (PV29), the first chemical of the initial 10 chemicals undergoing review. “This will be an important opportunity for the science experts on this new committee to provide their scientific and technical advice to EPA,” **said EPA Office of Chemical Safety and Pollution Prevention Assistant Administrator Alexandra Dapolito Dunn**. “This peer review ensures scientific rigor and enhances transparency of the risk evaluation process.”

The purpose of the June 18-21, 2019, SACC meeting is for EPA to get the independent review of the science underlying the PV29 risk assessment, including the hazard assessment, assessment of dose-response, exposure assessment, and risk characterization. Additionally, this meeting will include an orientation on TSCA and how EPA is evaluating chemicals in commerce as prescribed in the Lautenberg Act. EPA will use the scientific advice, information and recommendations from the SACC, as well as public comments, to inform the final risk evaluation. The public has an opportunity to provide comments before and during the meeting. In March 2019, EPA re-opened the public comment period on the draft risk evaluation. The public has from April 17, 2019 until May 17, 2019 to provide comments in docket [EPA-HQ-OPPT-2018-0604](https://www.regulations.gov/docket/EPA-HQ-OPPT-2018-0604) on www.regulations.gov. This peer review meeting was rescheduled from an earlier meeting that was previously canceled due to the lapse in appropriations. [Learn more about the SACC members](#). [Learn more about the June SACC meeting and peer review of PV29](#).

Tony Pendola NC Small Business Environmental Assistance Program 4/25/2019

Via Rhonda Wright: I just wanted to give you a heads up about the below proposed rule that may have some small business impacts. We are just hearing about this. We will probably discuss this briefly during our OAQPS update in Chicago. Please follow the link to the rule and fact sheet. Are you hearing anything from small businesses about this? We may want to consider doing some outreach?

Boat Manufacturing and Reinforced Plastic Composites Production NESHAP Residual Risk and Technology Review, Proposed Rule – EPA is proposing rule amendments to the Boat Manufacturing NESHAP (40 CFR 63 subpart VVVV) and the Reinforced Plastic Composites Production NESHAP (40 CFR 63 subpart WWW) as a result of our Residual Risk and Technology Review (RTR). The risk

review found risks to be acceptable for both standards, with an ample margin of safety; and the technology review found no new technologies. We are soliciting comment on a controlled spray training program as a work practice standard for open molding operations. [More information can be found here.](#)

Sara Johnson NH Small Business Environmental Assistance Program 4/25/2019

Recent Federal Register Notices - 4/15/19, [Final Rule, Technical Amendments, Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units](#), 15846-15918 [Following requests for clarification of its June 2016 final action, the EPA published proposed amendments to several provisions of the 2016 New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Commercial and Industrial Solid Waste Incineration (CISWI). This action finalizes the proposed amendments, which provide clarity and address implementation issues in the final CISWI NSPS and EG, as well as correcting inconsistencies and errors in these provisions. This final rule is effective on April 16, 2019.]

4/12/19, [Proposed Rule, NESHAP: Stationary Combustion Turbines Residual Risk and Technology Review](#), 15046-15077 [The EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines to address the results of the residual risk and technology review (RTR) the EPA is required to conduct in accordance with the Clean Air Act (CAA). The EPA is proposing to find that the risks from this source category due to emissions of air toxics are acceptable and that the existing NESHAP provides an ample margin of safety to protect public health. The EPA identified no new cost-effective controls under the technology review that would achieve further emissions reductions from the source category. The EPA is also proposing to amend provisions addressing periods of startup, shutdown, and malfunction (SSM) and to require electronic reporting. In addition, the EPA is proposing to remove the stay of the effectiveness of the standards for new lean premix and diffusion flame gas-fired turbines that was promulgated in 2004. Comments must be received on or before May 28, 2019.]

Nancy Larson KS Small Business Environmental Assistance Program 4/21/2019

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet to discuss the following topics, beginning at 11 a.m. on Friday, April 26, 2019. The meeting will be held in Washington, D.C., at the Small Business Administration Headquarters, 409 Third Street SW, Eisenhower B Conference Room. Send your RSVP to twaqar@sba.gov. Please indicate whether you are attending in person, or by teleconference. Information will be sent out to you when you RSVP. We have adopted a casual attire option for all Roundtable meetings.

Agenda 11:00 – 12:00 PM Meet the New EPA Assistant Administrator for the Office of Chemical Safety and Pollution Prevention (OCSP) Alexandra Dunn, Assistant Administrator, OCSP, EPA

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to kevin.bromberg@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Sara Johnson NH Small Business Environmental Assistance Program 4/11/2019

EPA is pleased to announce that we have posted a recording of a webinar version of our extended training workshop on the 2016 rule on our web site. The workshop covers many of the major topic areas of the rulemaking and is available to be viewed by anyone who would like more information on the Generator Improvements Rule. To access the workshop, [visit our rulemaking web site](#). You will find the training at

the bottom of the page under “Additional Resources.” Click the recording for any of the three parts of the workshop to be brought to EPA’s CLU-IN training site. The recordings can be accessed by choosing the red “View Archive” button. Your computer must be able to load and run Adobe Connect to watch the recordings.

Thank you for your interest in the Generator Improvements Rule. We hope these trainings will be informative to you. Please note that a generator’s state must adopt the rulemaking before it is effective in that state. EPA maintains a [map of the states that we are aware have adopted the rule](#). Some states have hazardous waste regulations more stringent than the federal program and we recommend that you contact your state agency to determine if any of the provisions are more stringent in your state.

Sara Johnson NH Small Business Environmental Assistance Program 3/28/2019

Lytron Reduces TCE Emissions by 6,000 Pounds

Lytron in Woburn, Mass. received a [TURI grant](#) to reduce the use of Trichloroethylene (TCE). In the video below, Alan Smith describes how he used TURI’s laboratory testing services to evaluate the effectiveness of solutions that worked in a vacuum degreaser to remove lubricating oils from aluminum flat and fin parts. Find TCE resources such as fact sheets, case studies and safer alternatives [on the TURI website](#)

New Study Released: How to Protect Gymnasts from Flame Retardant Chemicals

A TURI-funded study that tested exposure to flame retardants among gymnasts was published in the March 26th issue of [Environment International](#). Silent Spring Institute researchers collected hand samples of gymnasts before and after a gym switched the foam pit cubes with ones that didn’t contain flame retardants. Researchers observed a 5.4-fold decrease in levels of flame retardants that had accumulated on the gymnasts’ hands during practice, suggesting that replacing the pit cubes with flame retardant free alternatives is an effective strategy for reducing exposures. TURI offers [small business grants](#) to help gym owners make the switch to non-flame retardant foam cubes. [Read the press release](#).

Re-Usable Bags are Green but are They Clean?

UMass Lowell Students Test Cleaners for Re-Usable Bags

A team of public health students from the Zuckerberg College of Health Sciences has found that we pack more than groceries in reusable bags. Gym clothes, lunch and laundry are just a few of the other items that get transported in them. And how do we clean those reusable bags? Most of us don’t. Nicole Kebler, Adorrah Khan and Ross Goding, seniors who are working at the Toxics Use Reduction Institute (TURI) on their capstone project, conducted a survey on consumer habits related to cleaning reusable bags for the town of Westford, which instituted a ban on plastic bags on Jan. 1. [Read the story](#).

Sara Johnson NH Small Business Environmental Assistance Program 3/28/2019

Contact: Mark Rossi, mark@cleanproduction.org, 781-391-6743 x101; Terri Goldberg, tgoldberg@newmoa.org, 617-367-8558 x302 **Date:** March 28, 2019

Launch of a Stakeholder Initiative to Seek Common Ground on Public Policies for Chemical Ingredient Transparency

Clean Production Action (CPA) and the Northeast Waste Management Officials Association’s (NEWMOA) Interstate Chemicals Clearinghouse (IC2) are launching a partnership to find common ground among key stakeholders on chemical ingredient transparency policies and programs. The diversity of transparency mandates at the state level has been steadily increasing for the past ten years. The States of California, Maine, New York, Oregon, Vermont, and Washington have enacted requirements for public disclosure of chemicals of concern in cleaning products and/or children’s products. Other states, including Connecticut, Louisiana, Maine, Massachusetts, Minnesota, New Hampshire, New York, Rhode Island,

Vermont, and Washington have established requirements for labeling products and packaging for the presence of mercury. Non-governmental organizations (NGOs), including the American Sustainable Business Council, Breast Cancer Prevention Partners, Center for Environmental Health, Clean and Healthy New York, Mind the Store Campaign, Safer States, and Toxic-Free Future are advocating for greater disclosure across supply chains. Retailers, including Walmart, have established requirements for ingredient disclosure by their suppliers. Ecolabels, such as the Safer Choice by the U.S. Environmental Protection Agency (EPA), require chemical ingredient transparency to meet their criteria.

These transparency initiatives confront similar types of challenges that often differ within and across product categories and sectors. Businesses that operate in multiple jurisdictions find it difficult to participate in or comply with the growing array of requests and requirements. Advocates and the public find it difficult to locate the chemical ingredient information in products they want when they need it. Businesses and government agencies developing environmentally preferable purchasing specifications are demanding chemical ingredient information and having to navigate and interpret the complex landscape of disclosure information that is available. These stakeholders – governments, businesses, NGOs, and researchers – could benefit greatly from a set of common principles and data practices.

Beginning in the second quarter of 2019 and extending into 2020, CPA and IC2 will convene businesses, governments, and NGOs to develop common principles and criteria for chemical transparency policy. By convening key stakeholders, we hope to accelerate state and local policy development, industry action, and government programs that focus on disclosure of toxic chemicals in products. Chemical ingredient transparency frequently is a catalyst for companies to develop safer alternatives and avoid toxic chemicals in the first place, and it provides NGOs and governments with the knowledge of where toxic chemicals are used, thereby identifying priority chemicals for undertaking various policy actions.

According to Mark Rossi, Executive Director of CPA, “this partnership is an exciting opportunity to bring together the expertise of government agencies, businesses, NGOs, and researchers to accelerate the sharing of chemical ingredient information across business sectors, government programs, and NGO initiatives.” Terri Goldberg, Executive Director of NEWMOA added, “CPA and IC2 have a long history of effective collaboration. Together, we bring unique and overlapping networks and capacities that will foster success in advancing chemical ingredient transparency in state and local policies, laws, and programs through this initiative.” Funding for launching the initiative is provided by The New York Community Trust. For more information, contact: Mark Rossi, Executive Director, Clean Production Action; Terri Goldberg, Executive Director, NEWMOA

Sara Johnson NH Small Business Environmental Assistance Program 3/28/2019

1) Recent Federal Register Notices 3/18/19, [Notice, Applicability Determination Index Data System Recent Posting: Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources, Emission Guidelines and Federal Plan Requirements for Existing Sources, National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Ozone Protection Program](#), 9783-9791
3/15/19, [Final Rule, NESHAP: Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture Residual Risk and Technology Reviews](#), 9590-9646 [The EPA is taking final action on the residual risk and technology reviews (RTRs) conducted for the Surface Coating of Large Appliances; the Printing, Coating, and Dyeing of Fabrics and Other Textiles; and the Surface Coating of Metal Furniture source categories regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action addressing emissions during periods of startup, shutdown, and malfunction (SSM); electronic reporting for performance test results and compliance reports; the addition of EPA Method 18 and updates to several measurement methods; and the addition of requirements for periodic performance testing. Additionally, several miscellaneous

technical amendments will be made to improve the clarity of the rule requirements. We are making no revisions to the numerical emission limits based on these risk analyses or technology reviews. This final rule is effective on March 15, 2019.]

3/15/19, Notice; Request for Public Comment, Systematic Review Protocol for the Hexavalent Chromium (Cr(VI)) IRIS Assessment [The EPA is announcing a 45-day public comment period associated with the release of the Systematic Review Protocol for the Hexavalent Chromium (Cr(VI)) IRIS Assessment. This document communicates the rationale for conducting the assessment of Cr(VI), describes screening criteria to identify relevant literature, outlines the approach for evaluating study quality, and describes the process of evidence synthesis/integration and dose-response methods. The protocol includes the list of studies currently considered in the assessment. EPA is releasing this protocol for public comment at least 30 days in advance of a public science webinar planned on April 24, 2019. Comments are due by April 29, 2019.]

2) Please see the announcement below regarding an upcoming Environmental Justice Training Webinar on April 16, 2019 from 2-3:30pm. The webinar is tailored for those working on the state level, but is open to all. This is the first of a 5-part series. The webinars are free, but registration is required. For questions about the series, please contact: Charles Lee at lee.charles@epa.gov. Feel free to forward this to anyone whom you think may be interested.

WEBINAR "Identifying and Prioritizing Environmentally Impacted and Vulnerable Communities" April 16, 2019 (2:00 - 3:30 PM EDT) Register here now!

The U.S. Environmental Protection Agency is launching a training webinar series to build the capacity of environmental justice practitioners working at the state level. The first webinar, "Identifying and Prioritizing Environmentally Impacted and Vulnerable Communities" is now open for registration.

Identifying and Prioritizing Environmentally Impacted and Vulnerable Communities

- ☐ When: April 16, 2019 (2:00 - 3:30 PM EDT)
- ☐ [Register NOW.](#)
- ☐ About: This webinar will provide state management and staff with a basic overview on the factors, data sources and tools that can be used to identify environmentally impacted and vulnerable communities. It will discuss ways this information has been used to prioritize attention to such communities and consider their issues in the decision-making process. The webinar will highlight the ways that California and Minnesota have incorporated this information into their programs. We will hear special remarks from Myra Reece, Director of Environmental Affairs, South Carolina Department of Health and Environmental Affairs, to kick off the webinar series.

Speakers:

- ☐ Alan Walts, Director, Multi-Media Programs Office, U.S. Environmental Protection Agency
- ☐ Yana Garcia, Assistant Secretary for Environmental Justice and Tribal Affairs, California Environmental Protection Agency
- ☐ John Faust, Chief, Community and Environmental Epidemiology Research Branch, Office of Environmental Health Assessment, California Environmental Protection Agency
- ☐ Ned Brooks, Environmental Justice Program Director, Minnesota Pollution Control Agency

Registration is required. Registered participants will receive details on how to access the webinar when you register. Please share this information widely to your colleagues and networks.

Additional webinar topics in the 2019 series include:

- ☐ Enhanced Community Involvement in the Regulatory Process;
- ☐ Using Comprehensive Area-Wide Planning Approaches to Promote Equitable Development;
- ☐ Application of Environmental Justice to State Environmental Impact Assessments; and
- ☐ Environmental Justice Considerations for Rural Water Infrastructure.

Sara Johnson NH Small Business Environmental Assistance Program 3/26/2019

This is my first time directing and producing a video for NHDES. It was a great experience. I always wanted to do a video; jealous of other states that were already doing this. It took 3 days to complete 3 different videos. Didn't cost my program any additional funding, except my time. The other 2 videos will be shared to our staff, "Who is your Lean Representative in your Division?" and "Director's Cut" (includes bloopers). The "What is Lean?" video will be posted on NHDES Facebook and NHDES Twitter to celebrate Lean Week April 1-5, 2019. This is not a scripted video, but had the outcome we were hoping for. Sorry for those that can't watch it on You Tube. https://www.youtube.com/watch?v=tBn6etmV_p0
On day 2 of filming I learned to always use a tripod and stand closer to the microphone.

Lynelle Ladd KS Small Business Environmental Assistance Program 3/21/2019

This may be of interest to some of you. <https://www.epa.gov/newsroom/epa-launches-environmental-justice-training-states>

News Releases from Headquarters: EPA Launches Environmental Justice Training for States

03/15/2019 Contact Information: (press@epa.gov)

WASHINGTON (March 15, 2019) Today, the U.S. Environmental Protection Agency (EPA) announced training to build the capacity of states to integrate environmental justice into their decision-making process. Over the next year, EPA will conduct a national webinar series developed in collaboration with state partners.

"From reducing lead exposure to cleaning up contaminated lands, EPA is prioritizing underserved communities that are disproportionately impacted by environmental and public health risks," **said EPA Administrator Andrew Wheeler**. "This new training will help states identify, prioritize, and address the needs of at-risk communities facing immediate environmental and public health challenges."

"South Carolina is proud to serve as a collaborative partner with the EPA as they unveil a new environmental justice training initiative for states. We are pleased the EPA is taking this important step to increase understanding of tools and resources that can be applied to address the needs of environmental justice communities," **said South Carolina Department of Health and Environmental Control Director of Environmental Affairs Myra Reece**.

The five national training webinars, which will be accessible through a publicly available website, will serve as an ongoing resource for state staff and others interested in developing their environmental justice knowledge and expertise. Planned topics include identifying and prioritizing environmentally-impacted and vulnerable communities, enhancing community involvement in the regulatory process, using an area-wide planning approach to promote equitable development, and application of environmental justice to state environmental impact assessments. To complement the online trainings, EPA Regions will conduct training on environmental justice for their respective states.

For many years, EPA has heard from its state partners about the need for systematic training on environmental justice principles, methods, and practices. Many groups, including frontline communities, have called for EPA to focus on state collaborations as an important part of its environmental justice work. This new training recognizes that success in addressing many environmental justice challenges depends heavily on states and supports EPA's strategic vision for environmental justice as outlined in the Agency's strategic plan. [More information about the webinar series](#). [More information about environmental justice](#). [Contact Us](#) to ask a question, provide feedback, or report a problem.

Nancy Larson KS Small Business Environmental Assistance Program 3/20/2019

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet to discuss the following topics, beginning at 10 a.m. on Friday, March 22, 2019. The meeting will be held in Washington, D.C., at the Small Business Administration Headquarters, 409 Third Street SW, Eisenhower B Conference Room. Send your RSVP to twagar@sba.gov. Please indicate whether you are attending in person, or by teleconference. Information will be sent out to you when you RSVP. We have adopted a casual attire option for all Roundtable meetings.

Agenda 10:00 – 11:00 AM Risk Evaluations Under the Toxic Substance Control Act Cathy Fehrenbacher, *Acting Deputy Director, Risk Assessment Division, Office of Pollution Prevention and Toxics, EPA*

11:00 – 12:00 PM Safe Management of Airbag Waste: Interim Final Rule Tracy Atagi, *Office of Resource Conservation and Recovery, EPA*

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to kevin.bromberg@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issues for Discussion, March 22, 2019: Risk Evaluations Under the Toxic Substance Control Act

The amended Toxic Substance Control Act (TSCA) requires the Environmental Protection Agency (EPA) to conduct risk evaluations for existing chemicals that the agency has deemed to be high-priority chemicals through its prioritization process. The purpose of risk evaluation is to determine whether a chemical substance presents an unreasonable risk to health or the environment. If the agency finalizes an unreasonable risk finding, it must manage the risk via regulation of the chemical substance. This risk evaluation process consists of various components including a scoping document that identifies hazards, exposures, conditions of use, and potentially exposed or susceptible subpopulations to be considered. The controlling document, however, is a scientific evaluation which includes a hazard assessment, exposure assessment, risk characterization and the risk determination. Small businesses often lack the time and resources to be able to track and decipher technical scientific documents that may serve as the basis of a potential regulatory restriction on their use of a chemical substance. To facilitate a better understanding of the risk evaluations, EPA will provide an overview of its process and its components.

RCRA and the Airbag Waste Interim Final Rule

EPA's recent actions related to the management of airbag waste has revived curiosity with the agency's approach to general hazardous waste exclusions under the Resource Recovery and Conservation Act (RCRA). On November 30, 2018, EPA published an interim final rule to address the ongoing Takata airbag recalls by facilitating the removal and disposal of the airbag waste. The agency provided a conditional exemption from its hazardous waste regulations under RCRA for collection of recalled airbag wastes. The exemption will prevent those involved in removing or replacing the airbags from being moved into a category of larger waste generation which would trigger additional requirements. Even though the agency took public comments on the interim final rule, it became effective immediately. EPA will be providing an overview of RCRA and examples of adjustments made to address various wastestreams including the airbag waste interim rule.

Nancy Larson KS Small Business Environmental Assistance Program 3/20/2019

WASHINGTON (March 20, 2019) — Today, the U.S. Environmental Protection Agency (EPA) is publishing a list of 40 chemicals to begin the prioritization process – the initial step in a new process of reviewing chemicals currently in commerce under the amended Toxic Substances Control Act (TSCA). “EPA continues to demonstrate its commitment to the successful and timely implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act,” said **EPA Administrator Andrew Wheeler**. “We are delivering on the promise of Lautenberg to better assess and manage existing chemicals in commerce and provide greater certainty and transparency to the American public.”

“Initiating a chemical for high or low prioritization does not mean EPA has determined it poses unreasonable risk or no risk to human health or the environment; it means we are beginning the prioritization process set forth in Lautenberg,” **said Alexandra Dapolito Dunn, Assistant Administrator for EPA’s Office of Chemical Safety and Pollution Prevention.**

The Agency is releasing this list in order to provide the public an opportunity to submit relevant information such as the uses, hazards, and exposure for these chemicals. A docket has been opened for each of the 40 chemicals. The publication of this list in the Federal Register initiates a 90-day public comment period. Publication also activates a statutory requirement for EPA to complete the prioritization process in the next nine to 12 months, allowing EPA to designate 20 chemicals as high priority and 20 chemicals as low priority by December 2019.

TSCA requires EPA to publish this list of 40 chemicals to begin the prioritization process to designate 20 chemicals as “high-priority” for subsequent risk evaluation and to designate 20 chemicals as “low-priority,” meaning that risk evaluation is not warranted at this time. One of the chemicals identified for high-priority evaluation is formaldehyde, a chemical that has been studied by EPA’s Integrated Risk Information System (IRIS) program for many years. “Moving forward evaluating formaldehyde under the TSCA program does not mean that the formaldehyde work done under IRIS will be lost,” **added Dunn.** “In fact, the work done for IRIS will inform the TSCA process. By using our TSCA authority EPA will be able to take regulatory steps; IRIS does not have this authority,” **she noted.**

When prioritization is complete, chemicals designated as high priority will begin a 3-year risk evaluation process to determine if the chemical, under the conditions of use, presents an unreasonable risk to human health and the environment. The designation of a chemical as a low priority means that further risk evaluation is not warranted at this time. The 20 high priority candidate chemicals include seven chlorinated solvents, six phthalates, four flame retardants, formaldehyde, a fragrance additive, and a polymer pre-cursor. EPA has received a manufacturer request for a risk evaluation of two additional phthalates and is currently determining whether the request contains the minimum needed elements to proceed under EPA’s regulations. If complete, EPA has 15 days to provide notice of such a request. The 20 low priority candidate chemicals have been selected from EPA’s Safer Chemicals Ingredients List, which includes chemicals that have been evaluated and determined to meet EPA’s safer choice criteria. [The list of chemicals can be found here.](#)

Paula Hoag EPA Office of Small Business Programs 3/14/2019

Forwarding the slides and webinar recording from Walter Schoepf in R2’s Pollution Prevention program. I have now available the slides and recording of the webinar “Who’s Minding the Store? Retailer Report Card and Chemical Footprint Project” which took place on March 7, 2019. Both the slides and recording are available to download and/or listen to: [Slides](#) (in PDF format), [Recording of webinar](#)
Feel free to share these resources with other organizations.

Sara Johnson NH Small Business Environmental Assistance Program 3/13/2019

Federal Register Notices - 3/6/19, [Notice of public hearing and extension of public comment period, NESHAP: Hydrochloric Acid Production Residual Risk and Technology Review](#), 8069

[On February 4, 2019, the Environmental Protection Agency (EPA) published a document in the Federal Register to announce its proposed National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production Residual Risk and Technology Review. The document also requested public comment on the proposed action. The EPA is announcing that it will hold a public hearing to provide interested parties the opportunity to present data, views, or arguments concerning the proposed action. In addition, the EPA will extend the public comment period. **The deadline for accepting written comments is being extended by 36 days, to April 26, 2019.**]

3/5/19, [Notice of Proposed Consent Decree](#); Clean Air Act Citizen Suit [In accordance with section 113(g) of the Clean Air Act, notice is given of a proposed consent decree in *Our Children's Earth Foundation v. Wheeler*, No. 18-cv-04765 (N.D. Cal.). The proposed consent decree would resolve a lawsuit filed by Our Children's Earth Foundation seeking to compel the Administrator to take action under the Clean Air Act to review, and if appropriate revise, the Furnaces NSPS and Bulk Gasoline NSPS at least every 8 years under section 111(b)(1)(B) of the Act, and to review, and revise if necessary (taking into account developments in practices, processes, and control technologies), the Major Source Bulk Gasoline NESHAP, Area Source Bulk Gasoline NESHAP, Foundries NESHAP, and Wood Preserving NESHAP no less often than every 8 years under section 112(d)(6) of the Act. **Written comments on the proposed consent decree must be received by April 4, 2019.**]

3/4/19, [Final Rule, NESHAP: Surface Coating of Wood Building Products Residual Risk and Technology Review](#), 7682-7712 [This action finalizes the residual risk and technology review (RTR) conducted for the Surface Coating of Wood Building Products source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action addressing periods of startup, shutdown, and malfunction (SSM). We are finalizing our proposed determination that the risks are acceptable and that the current NESHAP provides an ample margin of safety to protect public health. We identified no new cost-effective controls under the technology review to achieve further emissions reductions. These final amendments include provisions regarding electronic reporting, adding an alternative compliance equation under the current standards, and technical and editorial changes. This action also finalizes a new EPA test method to measure isocyanate compounds in certain surface coatings. These amendments are being made under the authority of the Clean Air Act (CAA) and will improve the effectiveness of the rule. The amendments are environmentally neutral.]

3/4/19, [Notice, Broadly Applicable Alternative Test Methods](#), 7363-7365 [This notice announces the broadly applicable alternative test method approval decisions that the Environmental Protection Agency (EPA) has made under and in support of New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) between January 1, 2018, and December 31, 2018.]

Tony Pendola NC Small Business Environmental Assistance Program 3/6/2019

[This blog entry](#) is based on the report we helped them with.

R Jeremy Hancher PA Small Business Development Center 3/6/2019

Thanks for sharing Tony. It looks like the actual report is linked in the blog and can be [found here](#). (Please pardon me if this was already mentioned or if I'm the last to know about it.) Upon a quick read, I see some specific mention of SBEAPs:

Help businesses comply

Traditionally, regulators primarily interact with businesses only after regulators have identified a violation at a facility and imposed a citation or fine. But some states are dedicating resources to preventing potential violations before they cause harm and quickly resolving problems when they do happen. The Arizona Department of Environmental Quality (ADEQ) estimates that shifting its focus from enforcement to assistance has helped companies return to compliance 40 percent faster. This helps keep business operations running without disruption. And "the environment benefits from resolving compliance conditions as quickly as possible [or] if you help facilities not have the violation in the first place," said Misael Cabrera, ADEQ director.³⁴

In some cases, this assistance requires just practical thinking about a problem. In Arizona, approximately 40,000 vehicles come to emissions tests with faulty gas caps each year. Now, instead of failing the vehicles and requiring owners to spend time fixing the caps and returning

for another test, the agency replaces the caps for free. The gas caps cost \$5 per vehicle, but replacing them prevents the vehicle from leaking up to 22 gallons of gasoline a year.³⁵ State leaders can work to shift the culture of regulatory agencies toward helping businesses succeed and away from simply documenting violations and assessing fines. In Missouri, for example, Department of Natural Resources Director Carol Comer described a meeting she had with a rural Missouri trailer manufacturing plant that had been repeatedly fined for improper management of hazardous waste. The plant had hired an environmental engineer to help it correct the problem but wasn't getting all the details right. The plant owners knew they needed help but were afraid to ask the state for fear they would receive even greater fines. However, the agency is placing an increasing emphasis on helping businesses in this situation and provided the company with clear guidance on how to fix the problem. "This was a company that genuinely wanted to comply but did not have the knowledge and sophistication to do so," Comer said. "We need to give them a chance to comply before we start hammering away with enforcement."³⁶

Similarly, Ohio's Environmental Protection Agency has a compliance assistance team that provides free, customized, and confidential support to help businesses become compliant and stay that way.³⁷ For example, Ohio's program helps small businesses complete complicated emissions calculations that determine whether a business needs air quality permits to operate, and if so, which ones. The free consultation would otherwise be out of reach for small businesses with limited resources and helps the agency prevent future noncompliance through education.³⁸ "It's not that we don't have [enforcement] tools and we won't use them," said Craig Butler, director of the Ohio Environmental Protection Agency. "It's just not the first arrow that you take out of the quiver when you're trying to solve a particular issue or a problem."³⁹

Working with compliance assistance officials upfront can save businesses from making costly mistakes. A manufacturing firm in rural Iowa reached out to the state's small business environmental assistance program before embarking on a major expansion of its plant and operations. The office pointed out that the company's plans didn't adequately account for safe disposal of the contaminated water and chemicals that the expansion would generate. Because the office caught this oversight before building, the business was able to place the required tank under the new building during construction. Otherwise, it would have had to correct the problem after the fact, which would have meant a significant cost and a setback to these plans.⁴⁰

And of course, you have to check out the footnotes:

R Mark Stoddard IN Compliance & Technical Assistance Program 3/7/2019

I recall conducting a site visit based on a referral from the Ohio SBEAP. The company had facilities in both Ohio and Indiana. I have also found confusion by small companies using RCRA terms like conditionally exempt in an air permitting context. They thought they were exempt from air permitting because they are conditionally exempt. Small businesses can be confused when, say, an air inspector using their own particular jargon attempts to communicate to a business through the narrow lens of air permitting while the business is using their own jargon and focused more widely on many issues.

Nancy Larson KS Small Business Environmental Assistance Program 3/5/2019

TRI Data Show Improved Environmental Performance by Manufacturing Sector as Economy Grows: *EPA Publishes 2017 Annual Toxics Release Inventory Report and Analysis*

WASHINGTON (March 5, 2019) — Today, the U.S. Environmental Protection Agency (EPA) released its 2017 Toxics Release Inventory (TRI) National Analysis. Results of this publicly available database show that since 2007, releases of TRI chemicals in the U.S. manufacturing sector have declined while the economy has grown. Industrial facilities have reduced releases of TRI chemicals by taking action to prevent pollution. "By communicating TRI data in a clear and consistent manner, EPA is utilizing the power of transparency to notify the public of important public health information and simultaneously encourage industry to improve environmental outcomes," **said EPA Administrator Andrew Wheeler.**

“The latest TRI analysis confirms that under President Trump the U.S. continues to improve its air quality while growing its economy.”

“This year’s TRI results give proof that economic growth and an improved environment can go hand in hand. For over thirty years, TRI has given the public the right-to-know about chemical releases in their neighborhoods and showed what companies are doing to reduce and prevent those releases. That commitment continues. Our focus today is making the TRI website more accessible, interactive and engaging to the public,” **said EPA Office of Chemical Safety and Pollution Prevention Assistant Administrator Alexandra Dapolito Dunn.**

This year’s National Analysis increases the transparency of the TRI database. New features include a new graphic on innovative use of green chemistry by industry, profiles of the paints and coatings manufacturing and other sectors, and an expanded illustration of the role of TRI data in chemical risk evaluations. The Analysis showcases industry practices to manage waste and reduce pollution at nearly 22,000 facilities that submitted TRI data for calendar year 2017. EPA encourages facilities to learn from their counterparts’ best practices and adopt additional methods for reducing pollution. In addition, today EPA is holding virtual press conferences in all 10 EPA Regions to highlight regional trends and engage with local communities. EPA Administrator Wheeler joined EPA Regional Administrator Pete Lopez in New York City to discuss this year’s data and analysis.

2017 Highlights

- Air releases of TRI chemicals declined by 11 million pounds in 2017, driven by reductions in air releases at chemical manufacturing facilities. Since 2007, air releases of TRI-listed chemicals fell 57 percent at industrial facilities submitting data to the program. Electric utilities are responsible for the greatest decreases in air releases since 2007, but nearly all industrial sectors have reduced their air releases over that time.
- 87 percent of the nearly 31 billion pounds of TRI chemical wastes was prevented from being released into the environment due to practices such as recycling, energy recovery, and treatment.
- Industrial facilities also reported implementing nearly 4,000 new source reduction activities that eliminated or reduced the creation of chemical waste.

Under the Emergency Planning and Community Right-to-Know Act (EPCRA), covered facilities must report their annual releases of TRI chemicals for the prior calendar year to EPA by July 1. EPA, states and tribes receive TRI data from facilities in industry sectors such as manufacturing, mining, electric utilities and commercial hazardous waste management. The Pollution Prevention Act also requires facilities to submit information on pollution prevention and other waste management activities of TRI chemicals.

[Access the 2017 TRI National Analysis, including local data and analyses. Information on facility efforts to reduce TRI chemical releases is available.](#)

Paula Hoag EPA Office of Small Business Programs 3/5/2019

Please make note and share with your small entity contacts that may want to participate in an upcoming listening session: The U.S. Environmental Protection Agency and the Department of the Army are interested in hearing from small entities on their proposal to revise the definition of “waters of the United States.” Small entities, among others, have expressed significant interest in the agencies’ proposed revisions. The agencies will hold an **in-person** meeting on Tuesday, March 19, 2019, from 9:00 to 11:00 am Eastern Time. Please see the below or the attached invitation for RSVP deadline and instructions.

Small Entity Outreach – WOTUS 2 Rulemaking: A Revised Definition of WOTUS

Summary: The U.S. Environmental Protection Agency and the Department of the Army (herein after “the agencies”) are interested in hearing from small entities on their proposal to revise the definition of “waters of the United States.” Small entities, among others, have expressed significant interest in the agencies’

proposed revisions. The agencies will hold an in-person meeting on Tuesday, March 19, 2019, from 9:00 to 11:00 am Eastern Time.

Invitation:

The U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) (herein after “the agencies”), are interested in hearing from small entities on the proposed rule to revise the definition of “waters of the United States.” The agencies’ proposal would provide the public with a straightforward definition to protect the nation’s waterways, help sustain economic growth and reduce barriers to business development. The agencies’ proposal is the second step in a two-step process to review and revise the definition of “waters of the United States” consistent with the February 2017 Presidential Executive Order 13778. The proposed rule is grounded in law and Supreme Court precedent and respects the limitations on power granted to the federal government by the Constitution and to the agencies to regulate navigable waters by Congress through the Clean Water Act. The agencies reviewed and considered the extensive feedback and recommendations received from stakeholders throughout consultations and pre-proposal meetings and webinars. This input helped highlight the issues that are most important to stakeholders, including small entities, directly affected by the scope of Clean Water Act jurisdiction.

The in-person listening session with small entities will be held on Tuesday, March 19, 2019, from 9:00 to 11:00 am Eastern Time at the U.S. EPA’s Headquarters located at 1200 Pennsylvania Avenue NW, Washington, DC 20003. To facilitate the building security process, and to request reasonable accommodation, those who wish to attend must contact Joan B. Rogers (202-564-6568 or rogers.joanb@epa.gov), no later than Monday, March 11, 2019. RSVPs will be accepted until March 11, or until room capacity has been reached (100 max), whichever occurs first. If you would like to provide a three minute “oral presentation” at the in-person listening session, please let Joan B. Rogers know by the registration date listed above so she can schedule your slot. The agencies will prepare a written summary of the presentations and this will be included as part of the rulemaking docket. You are also invited to submit a copy of your oral presentation, identified by Docket ID No. EPA-HQ-OW-2018-0149, at <https://www.regulations.gov>. Thank you in advance for your interest in the waters of the United States rulemaking. We look forward to your participation in this important effort.

Nancy Larson KS Small Business Environmental Assistance Program 3/1/2019

Thanks to those of you who were on the website subcommittee today! The surface coating compliance assistance center resources discussed as part of our call today is at <http://sterc.org/>. It does not appear that they have finalized and published the metal finishing documents they gave us a preview of during our joint calls, but I will be sure to forward any new postings I see or share out the webinars as discussed. You will note they have done a good job of referencing the National SBEAP state contacts in many areas of their centers.

Nancy Larson KS Small Business Environmental Assistance Program 2/24/2019

Via Kevin Bromberg, SBA: The Office of Advocacy is holding a small business- focused WOTUS Forum In Kansas City on the morning of February 27th. See the attached agenda for further information. In addition, EPA is holding its WOTUS public hearings In Kansas City on the afternoon of February 27 and the following morning at a separate location (see below notice). Army Corps of Engineers and EPA Seek Comments on Revised Definition of “Waters of the United States”

On February 14, 2019, the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency issued a proposed rule to revise the definition of “Waters of the United States.” The rule is the second step in a two-step process to review and revise this definition. The proposed rule is intended to clarify the scope of waters federally regulated under the Clean Water Act. The two agencies will be holding public hearings on the proposed rule on February 27 and 28, 2019. Written comments are due by April 15, 2019.

- Read the *Federal Register* notice and submit written comments [here](#).

- Register to attend the public hearings [here](#).

Advocacy contact: [Prianka Sharma](#) at (202) 205-6938.

Sara Johnson NH Small Business Environmental Assistance Program 2/22/2019

EPA Seeking Comments on Proposed Amendments to the Manifest Forms

A Federal Register (FR) notice announcing EPA's intent to submit the electronic manifest (e-Manifest) information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval was published on February 8, 2019. The notice provides an overview of the manifest program and proposes estimates of the time and cost for the public to respond to the collection of information for the entire manifest program.

Additionally, the FR notice proposes amendments to the manifest forms (both paper and electronic). Specifically, the FR notice requests comment on how to:

- Improve the precision of waste quantities and units of measure reported in Items 11 and 12 of the hazardous waste manifest, respectively;
- Enhance the quality of international shipment data reported on the manifest; and
- Assist EPA with integrating e-Manifest and biennial reporting (BR) requirements.

[View the notice in the Federal Register here](#). The FR notice provides a 60-day comment period ending April 9, 2019. Submit your comments, referencing by Docket ID No. EPA-HQ-OLEM-2018-0756. The docket can be [viewed online here](#) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC.

Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine

Rule to be published in the Federal Register tomorrow, February 22: The Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine final rule is scheduled to be published in the *Federal Register* tomorrow, February 22, 2019. The published rule will be available [here](#).

Recording Available: EPA presented a webinar about the contents of the final rule "Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine" on February 14, 2019 and a recording of that webinar is now available. Click the "View Archive" button on the [webinar web page](#) to access the recording. Additionally, the presentation slides from the webinar can be found in the "Webinar Slides" tab on this same page. EPA will deliver this same presentation two more times in March, but due to high interest, these webinars are all full. If we are able to schedule additional deliveries of this presentation, we will post that information on the [final rule web page here](#).

New Memos Added to RCRAOnline

EPA has uploaded several memos to the new Resource Conservation and Recovery Online system. They can be access in various ways including an Advanced Search by date, [which can be found here](#). From this page, use the pull-down menu to choose "After" and then type in a date, such as 02/21/17, to have the system display memos that have been issued in the past two years.

Tony Pendola NC Small Business Environmental Assistance Program 2/21/2019

I have been working with Rhonda for a while now getting her up and running. She will be on our next NSC call and I have scheduled a meeting with her and her supervisor, Laura McKelvey, at the end of March to begin discussions on how we can best work together. Right now, she is drinking out of a firehose. I'm sure we are all grateful that after many years we finally are reconnecting in a very meaningful way with OAQPS! Stay tuned and we will keep you updated.

Via Rhonda Wright, U.S. EPA Office of Air and Radiation, Office of Air Quality Planning and Standards: My name is Rhonda Wright. I currently work in EPA's Office of Air and Radiation, Office of Air Quality Planning and Standards (OAQPS), Outreach and Information Division (OID), Community and Tribal Programs Group (CTPG). I am writing you because I have been asked to be the Small Business Liaison for my office and I accepted.

The Clean Air Act anticipates that EPA will have strong relationships with, and outreach to, small businesses about air pollution regulation. OAQPS has been a leader in this area in the past, especially in the years following the 1990 Amendments. Peter Tsirigotis, Director of OAQPS, has asked OID to again take the lead and serve as the OAQPS liaison for small businesses and those federal/state agencies that also serve them. OID is refocusing our attention on this important work, in partnership with the other OAQPS Divisions.

As a result, we are initiating a process to reach out to our Agency and state counterparts to determine the needs from the small business community and develop a plan to improve our engagement with this important constituency.

Our goal in this effort is to:

- Provide opportunities for small businesses to have effective, early engagement in the rulemaking process.
- Minimize the unnecessary burden of OAQPS rules on small businesses.
- Assist small business entities to better comply with OAQPS rules by developing outreach materials, providing rule interpretation, and delivering training to affected entities.
- Enhance small businesses' understanding of the health impacts of air pollution at the neighborhood level.

A little bit about me: I have worked for EPA for over 10 years. While in CTPG, my primary focus is on policy outreach for communities and tribal governments. Before joining OID, I worked in the Air Quality Policy Division, within OAQPS, where I managed and led national workgroups to coordinate issues, analysis, and decision-making on Designations for the Sulfur Dioxide (SO₂) and Lead (Pb) National Ambient Air Quality Standards. More recently, in 2018, I completed a 6-month detail as OAR IO's Special Assistant. I have spent most of my career planning and implementing policies and providing direction on air program issues.

OID's CTPG will facilitate the plan's implementation; however, we would like to hear your thoughts on OAQPS' engagement with small business and how we can meet the need of small businesses, support your office, and together develop a strategy on how to move forward.

If you have questions or small business concerns, please contact Rhonda Wright (919-541-1087) or Laura McKelvey (919-541-5497).

Sara Johnson NH Small Business Environmental Assistance Program 2/21/2019

Recent Federal Register Notices – 2/12/19, [Final Rule, NESHAP: Leather Finishing Operations Residual Risk and Technology Review](#), 3308-3324 [This action finalizes the residual risk and technology review (RTR) conducted for the Leather Finishing Operations source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action addressing startup, shutdown, and malfunction (SSM), electronic reporting, and clarification of rule provisions. These final amendments address emissions during periods of SSM, add electronic reporting, and revise certain rule requirements and provisions. Although these amendments will not reduce emissions of hazardous air pollutants (HAP), they are expected to improve compliance and implementation of the rule. We found risk due to emissions of air toxics to be acceptable from this source category and determined that the current NESHAP provides an ample margin of safety to protect public health and prevents an adverse environmental effect. Therefore, we did not propose and are not finalizing any revisions to the Leather Finishing Operations NESHAP based on our analyses conducted under CAA section 112(f). We determined that there are no developments in practices, processes, and control technologies that warrant revisions to the MACT standards for this source category. Therefore, we are not finalizing revisions to the MACT standards under CAA section 112(d)(6).]

2/8/19, [Final Rule, NESHAP: Friction Materials Manufacturing Facilities Residual Risk and Technology Review](#), 2742-2753 [This action finalizes the residual risk and technology review (RTR) conducted for the Friction Materials Manufacturing Facilities source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action addressing

periods of startup, shutdown, and malfunction (SSM). We are finalizing our proposed determination that the risks from the category are acceptable and that the current NESHAP provides an ample margin of safety to protect public health. We identified no new cost-effective controls under the technology review to achieve further emissions reductions. These final amendments include amendments to revise reporting requirements for deviations. These amendments are made under the authority of the Clean Air Act (CAA) and will improve the effectiveness of the rule. The amendments are environmentally neutral.]

2/7/19, [Extension of Public Comment Period, Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units](#) Page 2485 [FR DOC# 2019-01365] [On December 6, 2018, the Environmental Protection Agency (EPA) proposed a rule titled “Review of Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units.” **The EPA is extending the public comment period from February 19, 2019, until March 18, 2019,** which is consistent with the requirement to keep the record open for at least 30 days after the public hearing, which is scheduled for February 14, 2019, in Washington, DC. [Information about the public hearing was posted online on January 30, 2019.](#)

2/7/19, Proposed Rule, NESHAP : [Coal- and Oil-Fired Electric Utility Steam Generating Units- Reconsideration of Supplemental Finding and Residual Risk and Technology Review](#) Pages 2670-2704 [FR DOC# 2019-00936] [The Environmental Protection Agency (EPA) is proposing a revision to its response to the U.S. Supreme Court decision in *Michigan v. EPA* which held that the EPA erred by not considering cost in its determination that regulation under section 112 of the Clean Air Act (CAA) of hazardous air pollutant (HAP) emissions from coal- and oil-fired electric utility steam generating units (EGUs) is appropriate and necessary. After considering the cost of compliance relative to the HAP benefits of regulation, the EPA proposes to find that it is not “appropriate and necessary” to regulate HAP emissions from coal- and oil-fired EGUs, thereby reversing the Agency's prior conclusion under CAA section 112(n)(1)(A) and correcting flaws in the Agency's prior response to *Michigan v. EPA*. We further propose that finalizing this new response to *Michigan v. EPA* will not remove the Coal- and Oil-Fired EGU source category from the CAA section 112(c) list of sources that must be regulated under CAA section 112(d) and will not affect the existing CAA section 112(d) emissions standards that regulate HAP emissions from coal- and oil-fired EGUs. We are soliciting comment, however, on whether the EPA has the authority or obligation to delist EGUs from CAA section 112(c) and rescind (or to rescind without delisting) the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coal- and Oil-Fired EGUs, commonly known as the Mercury and Air Toxics Standards (MATS). The EPA is also proposing the results of the residual risk and technology review (RTR) of the NESHAP that the Agency is required to conduct in accordance with CAA section 112. The results of the residual risk analysis indicate that residual risks due to emissions of air toxics from this source category are acceptable and that the current standards provide an ample margin of safety to protect public health. No new developments in HAP emission controls to achieve further cost-effective emissions reductions were identified under the technology review. Therefore, based on the results of these analyses and reviews, we are proposing that no revisions to MATS are warranted. Finally, the EPA is also taking comment on establishing a subcategory for emissions of acid gas HAP from existing EGUs firing eastern bituminous coal refuse. **Comments must be received on or before April 8, 2019.**]

Sara Johnson NH Small Business Environmental Assistance Program 2/11/2019

From Rebeca Kane, U.E. EPA Office of Enforcement and Compliance Assistance: (6/27/2018) I am sending this to everyone who attended the Enforcement and Compliance History Online (ECHO) webinars on Dec. 12, 2017, or Jan. 11, 2018, regarding facility compliance history display changes, as well as to EPA/state/local compliance and enforcement data stewards.

In 2017, The E-Enterprise Leadership Council (EELC) chartered an ECHO Case Study Team to help inform state and EPA efforts to design collaborative processes that promote the respectful use of environmental data among co-regulators. The team's goals were to:

- Improve the usability, accuracy, and completeness of ECHO's information;
- Review the root causes of data quality, accuracy, and communication concerns and propose resolutions;
- Establish mechanisms for cooperative problem resolution and stewardship of ECHO data; and
- Report progress, findings, and recommendations to the EELC.

Regarding the first item, in-depth discussions to improve ECHO's display of information about facility compliance history led to a proposal to improve the context, labeling, and presentation of these data in ECHO. The team conducted two webinars on the proposed changes and solicited comments from the data steward community. A description of the improvements is attached. Thank you again to the team for finalizing this proposal. The changes will be implemented on a rolling basis in ECHO Lab, which is password protected for ECHO Government users with EPA LAN or web application access ID.

A small set of global changes (listed below) has been completed in ECHO Lab and will become public in late July 2018. This allows us to put in place some of the report heading changes that affect ECHO facility features as a whole in advance of the data presentation changes. The data presentation changes, representing the bulk of the recommended improvements, will be available in ECHO Lab on a rolling basis beginning in late July, with a public launch tentatively planned for December 2018. I will keep you informed of the schedule.

ECHO Lab is available by log in at <https://echolab.epa.gov>. To go directly to a Detailed Facility Report to view the changes listed below, you can use this link -<https://echolab.epa.gov/detailed-facility-report?fid=110000462785> (included as an example only) - substitute any applicable facility ID (ICIS-Air ID, RCRA ID, NPDES permit ID, FRS number, PWS ID), and log in with your EPA LAN or web application access ID. The changes on ECHO Lab now, which will be public in late July 2018:

- a. Update name of Detailed Facility Report "Three Year Compliance Status by Quarter" table to "Three Year Compliance History by Quarter"
- b. Update Quarters "in" to Quarters "with" noncompliance or violation
- c. Eliminate the "12-Quarter Violation History" grid from the top right of Detailed Facility Report
- d. Implement navigation bar that allows users to more easily move to different parts of the Detailed Facility Report
- e. Implement Customize Report option at top of Detailed Facility Report, which will allow users to toggle to monthly or quarterly Compliance History view. *Please note that this will default to quarterly until the monthly view has been developed for all media programs.*
- f. Add a Data Last Refreshed column to the Detailed Facility Report Compliance Summary Data table.

You may also notice some minor changes to the formatting of the facility search results and Detailed Facility Report. This is being done to meet recent U.S. Web Design System guidelines for consistent presentation of digital government services. Please let me know if you have questions or concerns about these changes.

(11/6/2018) While most of the compliance history display changes noted in this email relate to the CAA Stationary Source, CWA NPDES, and Hazardous Waste programs, I included the full list of stewards so you're aware of this work.

A set of changes to ECHO's display of facility compliance history has been completed in ECHO Lab for your review. These changes will be made public on ECHO in late December 2018 or early January 2019 (depending on comments received):

Cross-Program Updates

1. Implemented Customize Report option at top of Detailed Facility Report, which allows users to toggle to monthly or quarterly Compliance History view for Water, Air, and Hazardous Waste in the Three-Year Compliance History table.
2. Created monthly compliance view in the Three-Year Compliance History table, visible in 12-month increments, for Water, Air, and Hazardous Waste.
3. Updated violation time period labels by media program, generally No Violation Identified, Violation Identified, and High Priority Violation/Significant/Category I Noncompliance/Significant Noncomplier/Serious Violator, and standardized coloring across media programs.
4. Updated date formats to be MM/DD/YYYY for consistency across media programs.

Program-Specific Updates

5. Clean Water
 - a. Incorporated Effluent Exceedance Report icon near the parameter name with effluent violation(s) in the Three-Year Compliance History by Quarter/Month table.
 - b. Added full description of Significant/Category I Noncompliance instead of acronyms or codes.
6. Hazardous Waste
 - a. Added display of Significant Noncomplier dates and agency in the Three-Year Compliance History table.
7. Air
 - a. Updated logic for displaying differing Federally Reportable Violation (FRV) date ranges in the Three-Year Compliance History Table and incorporated caveat popup to explain the different FRV display options:
 - i. Option 1: Violation Identified – with Date Range using Determined to Resolved Dates On the Detailed Facility Report. ECHO displays violations with the label “Violation Identified” or “Violation” in a given time period (quarter or month). In subsequent periods in which violations remain unresolved, based on the lack of a Resolved Date in ICIS-Air, the text will read “Violation-Unresolved” to indicate that one or more violations are unresolved but not newly identified. *Note: if your state agency would like to opt in to this display option, please let me know.*
 - ii. Option 2 (default): Violation Identified – FRV determination date displayed on the Detailed Facility Report, ECHO displays violations with the label “Violation Identified” in a given time period (quarter or month).

Upcoming Development

- Create monthly view of benchmark exceedances, single event violation, permit schedule violations, and DMR non-receipt violations in the Three-Year Compliance History by Month table for Clean Water violations.
- Create download option of Three-Year Compliance History table from Detailed Facility Report for Water, Air, and Hazardous Waste.
- Updates to compliance status values in ECHO Exporter across Water, Air, and Hazardous Waste and help documentation.
- Minor help text updates.

I'll let you know when the remaining items are completed. Please send to me any comments, questions, or requests you might have on these changes by Dec. 21, 2018. If you have trouble accessing the site or questions about using it, please feel free to use the Contact Us link at the top right of every page at any time. If you no longer wish to receive emails on this topic, please let me know and I'll remove you from this distribution list.

(12/19/2018) Hi, if you have any comments on the changes described below, please send them by COB Friday. Most of the items under “*Upcoming Development*” below have been implemented
(2/8/2019) The changes to Enforcement and Compliance History Online (ECHO) compliance history data that are described below are now public on ECHO (<https://echo.epa.gov>), in particular in the facility searches and Detailed Facility Report.

Sara Johnson NH Small Business Environmental Assistance Program 2/7/2019

Federal Register Notices – 2/4/19, [Proposed Rule, NESHAP: Hydrochloric Acid Production Residual Risk and Technology Review](#), 1570-1597 [The EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Hydrochloric Acid (HCl) Production source category. The proposed action presents the results of the residual risk and technology reviews (RTRs) conducted as required under the Clean Air Act (CAA). The proposed amendments address the startup, shutdown, and malfunction (SSM) provisions of the rule, add electronic reporting, and update the reporting and recordkeeping requirements. Comments must be received on or before March 21, 2019.]

12/20/18, [Proposed Rule, Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units](#), 65424-65464 [The EPA is proposing amendments to the rulemaking titled “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units (EGUs),” which the EPA promulgated by notice dated October 23, 2015 (*i.e.*, the 2015 Rule). Specifically, the EPA proposes to amend its previous determination that the best system of emission reduction (BSER) for newly constructed coal-fired steam generating units (*i.e.*, EGUs) is partial carbon capture and storage (CCS). Instead, the EPA proposes to find that the BSER for this source category is the most efficient demonstrated steam cycle (*e.g.*, supercritical steam conditions for large units and subcritical steam conditions for small units) in combination with the best operating practices. The EPA proposes to revise the standard of performance for newly constructed steam generating units as separate standards of performance for large and small steam generating units that reflect the Agency’s amended BSER determination. In addition, the EPA proposes to revise the standard of performance for reconstructed steam generating units to be separate standards of performance for reconstructed large and small steam generating units, consistent with the proposed revised standards for newly constructed steam generating units. The EPA also proposes separate standards of performance for newly constructed and reconstructed coal refuse-fired EGUs. In addition, the EPA proposes to revise the maximally stringent standards for large modifications of steam generating units to be consistent with the standards for reconstructed large and small steam generating units. The EPA is not proposing to amend and is not reopening the standards of performance for newly constructed or reconstructed stationary combustion turbines. The EPA is also proposing to make other miscellaneous technical changes in the regulatory requirements. Comments must be received on or before February 19, 2019.]

12/3/18, [Final Rule, Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act](#), 62268-62269 [The EPA is announcing that the amendments to the Risk Management Program under the Clean Air Act put forward in a final rule published in the Federal Register on January 13, 2017 are in effect. DATES: The rule amending 40 CFR part 68, published at 82 FR 4594 (January 13, 2017) and delayed at 82 FR 8499 (January 26, 2017), 82 FR 13968 (March 16, 2017), and 82 FR 27133 (June 14, 2017), is effective December 3, 2018.]

11/30/18, [Proposed Rules, NSPS Standards for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces](#), 61574-61585 [EPA proposes to amend the 2015 NSPS for new residential hydronic heaters and new forced-air furnaces by adding a two-year “sell-through” period for all affected new hydronic heaters and forced-air furnaces that are manufactured or imported before the May 2020 compliance date to be sold at retail through May 2022. This will allow retailers additional time, after the May 2020 effective date of the “Step 2” standards, for the sale of “Step 1” compliant

hydronic heaters and forced-air furnaces remaining in inventory. The EPA is also taking comment on whether a sell-through period for all affected new residential wood heaters is appropriate following the May 2020 compliance date and, if so, how long a sell-through period is needed and why. In addition, this action is taking comment on whether the current minimum pellet fuel requirements should be retained and, if so, whether they should be revised. Comments were due on January 14, 2019.]

11/30/18, [Advanced Notice of Proposed Rulemaking, NSPS Standards for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces](#), 61585-61593 [In this action, the EPA is soliciting comment on several aspects of the 2015 Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces (2015 NSPS) in order to inform future rulemaking to improve these standards and related test methods. This action does not propose any changes to the 2015 NSPS, but does take comment on a number of aspects of the rule, including the compliance date for the Step 2 emission limits, Step 2 emission limits for forced-air furnaces, hydronic heaters and wood heaters, Step 2 emission limits based on weighted averages versus individual burn rates, transitioning to cord wood certification test methods, compliance audit testing, third-party review, electronic reporting tool, and warranty requirements. Comments must be received on or before February 13, 2019.]

11/26/18, [Final Rule Amendments, NESHAP and NSPS: Petroleum Refinery Sector Amendments](#), 60696-60728

Sara Johnson NH Small Business Environmental Assistance Program 12/20/2018

FROM: Kevin Bromberg, Assistant Chief Counsel, David Rostker, Assistant Chief Counsel, Tabby Waqar, Assistant Chief Counsel

The next U.S. Small Business Administration, Office of Advocacy Environmental Roundtable will meet to discuss the following topics, beginning at 10 a.m. on Friday, January 11, 2019. The meeting will be held in Washington, D.C., at the Small Business Administration Headquarters, 409 Third Street SW, Eisenhower B Conference Room. Send your RSVP to twaqar@sba.gov. Please indicate whether you are attending in person, or by teleconference. Information will be sent out to you when you RSVP. We have adopted a casual attire option for all Roundtable meetings.

Agenda

10:00 – 11:00 AM: Risk Evaluations Under the Toxic Substance Control Act

Cathy Fehrenbacher, *Acting Deputy Director, Risk Assessment Division, Office of Pollution Prevention and Toxics, EPA*

11:00 – 12:00 PM: Safe Management of Airbag Waste: Interim Final Rule

Jessica Young, *Chief of Recycling and Generator Branch, Office of Resource Conservation and Recovery, EPA*
Tracy Atagi, *Office of Resource Conservation and Recovery, EPA*

Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to kevin.bromberg@sba.gov. The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees' individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.

Small Business Environmental Roundtable Issues for Discussion, January 11, 2019

Risk Evaluations Under the Toxic Substance Control Act-- The amended Toxic Substance Control Act (TSCA) requires the Environmental Protection Agency (EPA) to conduct risk evaluations for existing chemicals that the agency has deemed to be high-priority chemicals through its prioritization process. The purpose of risk evaluation is to determine whether a chemical substance presents an unreasonable risk to health or the environment. If the agency finalizes an unreasonable risk finding, it must manage the risk

via regulation of the chemical substance. This risk evaluation process consists of various components including a scoping document that identifies hazards, exposures, conditions of use, and potentially exposed or susceptible subpopulations to be considered. The controlling document, however, is a scientific evaluation which includes a hazard assessment, exposure assessment, risk characterization and the risk determination. Small businesses often lack the time and resources to be able to track and decipher technical scientific documents that may serve as the basis of a potential regulatory restriction on their use of a chemical substance. To facilitate a better understanding of the risk evaluations, EPA will provide an overview of its process and its components.

Airbag Waste Interim Final Rule-- On November 30, 2018, EPA published an interim final rule to address the ongoing Takata airbag recalls by facilitating the removal and disposal of the airbag waste. The agency has provided a conditional exemption from its hazardous waste regulations under the Resource Recovery and Conservation Act (RCRA) for collection of recalled airbag wastes. The exemption will prevent those involved in removing or replacing the airbags from moving up to a larger quantity generator category which triggers additional requirements. The rule is effective immediately, however, EPA is accepting comments by January 29, 2019. Small businesses have expressed concerns regarding the burdensome criteria of the conditional exemption.

Sara Johnson NH Small Business Environmental Assistance Program 12/13/2018

From Kerry Callahan: Please see the below announcement from EPA, which includes dates of EPA webinars in January regarding the final rule. I also note that under the final rule, the disposal of Food and Drug Administration-approved nicotine replacement therapies will no longer be considered a hazardous waste when discarded. [The December 12, 2018 EPA news release about the final rule is available.](#)

The PDF file of the pre-publication version of the final rule is 491 pages. I'll send you the Federal Register notice of the final rule when it is published.

From Kristin Fitzgerald: I'm happy to share the news that the Final Rule, **Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine** has been signed by EPA's Acting Administrator Wheeler. It typically takes several weeks after signature before a rule is published in the Federal Register. In the meantime, [a pre-publication version of the final rule is available on our website](#). The final rule provides tailored and streamlined standards for managing hazardous waste pharmaceuticals that reduce the cost and compliance burden for the healthcare sector, while ensuring the safe management of hazardous waste pharmaceuticals. Additionally, EPA is taking a common-sense regulatory approach to the disposal of FDA-approved over-the-counter nicotine replacement therapies (NRTs – i.e., gums, patches, lozenges), which will no longer be considered hazardous waste when discarded. We have scheduled two webinars to discuss the contents of the final rule. The webinars, which are free and open to the public, are scheduled for 1 pm Eastern on the following dates:

- Wednesday, January 9th
- Wednesday, January 23rd

Both webinars will be the same, with a one-hour general presentation about the final rule, followed by a 30-minute question and answer session. See our website to [register to attend one of the webinars](#). Finally, if you would like to receive future updates from EPA's Office of Resource Conservation and Recovery about solid and hazardous waste, sign up for our listserv by sending a blank email to: solid-and-hazardous-waste-subscribe@lists.epa.gov

Nancy Larson KS Small Business Environmental Assistance Program 12/11/2018

EPA and Army Propose New "Waters of the United States" Definition 12/11/2018

Contact Information: EPA Press Office (press@epa.gov)

WASHINGTON — Today, the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) are proposing a clear, understandable, and implementable definition of “waters of the United States” that clarifies federal authority under the Clean Water Act. Unlike the Obama administration's 2015 definition of “waters of the United States,” today’s proposal contains a

straightforward definition that would result in significant cost savings, protect the nation's navigable waters, help sustain economic growth, and reduce barriers to business development.

“Our proposal would replace the Obama EPA’s 2015 definition with one that respects the limits of the Clean Water Act and provides states and landowners the certainty they need to manage their natural resources and grow local economies,” said EPA Acting Administrator Andrew Wheeler. “For the first time, we are clearly defining the difference between federally protected waterways and state protected waterways. Our simpler and clearer definition would help landowners understand whether a project on their property will require a federal permit or not, without spending thousands of dollars on engineering and legal professionals.”

The agencies’ proposal is the second step in a two-step process to review and revise the definition of “waters of the United States” consistent with President Trump’s February 2017 Executive Order entitled “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.” The Executive Order states that it is in the national interest to ensure that the nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the states under the Constitution.

“EPA and the Army together propose this new definition that provides a clear and predictable approach to regulating ‘waters of the United States.’ We focused on developing an implementable definition that balances local and national interests under the Clean Water Act,” said R.D. James, Assistant Secretary of the Army for Civil Works. “I have heard from a wide range of stakeholders on Clean Water Act implementation challenges. This proposed definition provides a common-sense approach to managing our nation’s waters.”

The agencies’ proposed rule would provide clarity, predictability and consistency so that the regulated community can easily understand where the Clean Water Act applies—and where it does not. Under the agencies’ proposal, traditional navigable waters, tributaries to those waters, certain ditches, certain lakes and ponds, impoundments of jurisdictional waters, and wetlands adjacent to jurisdictional waters would be federally regulated. It also details what are not “waters of the United States,” such as features that only contain water during or in response to rainfall (e.g., ephemeral features); groundwater; many ditches, including most roadside or farm ditches; prior converted cropland; stormwater control features; and waste treatment systems.

The agencies believe this proposed definition appropriately identifies waters that should be subject to regulation under the Clean Water Act while respecting the role of states and tribes in managing their own land and water resources. States and many tribes have existing regulations that apply to waters within their borders, whether or not they are considered “waters of the United States.” The agencies’ proposal gives states and tribes more flexibility in determining how best to manage their land and water resources while protecting the nation’s navigable waters as intended by Congress when it enacted the Clean Water Act.

Robust, publicly accessible data is also a key component of common-sense, cost-effective environmental protection. In response to requests from some states, EPA and the Army are exploring ways the agencies can work with our federal, state, and tribal partners to develop a data or mapping system that could provide a clearer understanding of the presence or absence of jurisdictional waters.

The agencies invited written pre-proposal recommendations and received more than 6,000 recommendations that the agencies have considered in developing this proposal. The agencies listened to those directly affected by the regulations, and this proposal balances the input the agencies received from a wide range of stakeholders.

The agencies will take comment on the proposal for 60 days after publication in the Federal Register. EPA and the Army will also hold an informational webcast on January 10, 2019, and will host a listening session on the proposed rule in Kansas City, KS, on January 23, 2019. [More information including a pre-publication version of the Federal Register notice, the supporting analyses and fact sheets are available.](#)

Sara Johnson NH Small Business Environmental Assistance Program 11/20/2018

Federal Register Notices -11/14/18, Final Rule Amendments and 11/20/18, Correction, Testing Regulations for Air Emission Sources, 56713-56734

<https://www.gpo.gov/fdsys/pkg/FR-2018-11-14/html/2018-24747.htm>

<https://www.gpo.gov/fdsys/pkg/FR-2018-11-20/html/C1-2018-24747.htm>

[This action amends certain existing testing regulations to reflect corrections, updates, and the addition of alternative equipment and methods for source testing of emissions. These revisions will improve the quality of data and provide flexibility in the use of approved alternative procedures. The revisions do not impose any new substantive requirements on source owners or operators.]

10/30/18, Proposed Rule and 11/9/18, Correction, Requirements in Emission Guidelines for Municipal Solid Waste Landfills, 54527-54532, 56015

<https://www.gpo.gov/fdsys/pkg/FR-2018-10-30/html/2018-23700.htm>

<https://www.gpo.gov/fdsys/pkg/FR-2018-11-09/html/2018-24581.htm>

[In this action, the Environmental Protection Agency (EPA) proposes to amend the 2016 Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills ("MSW Landfills EG"). The requirements for state and federal plans implementing the MSW Landfills EG were adopted from 1975 regulations, referred to herein as the "old implementing regulations," which are cross-referenced in the MSW Landfill EG. In a separate regulatory proposal published in the Federal Register in August 2018, the EPA proposed changes to modernize the old implementing regulations governing emission guidelines under a new subpart. This action proposes to update the cross-references to the old implementing regulations in the MSW Landfills EG to harmonize with the proposed new timing and completeness requirements for state and federal plans. Comments are due December 14, 2018.]

10/15/18, [Final Rule, NESHAP: Manufacture of Amino/Phenolic Resins Risk and Technology Review Reconsideration](#), 51842-51857 [This action finalizes amendments to the NESHAP for the Manufacture of Amino/Phenolic Resins (APR). These final amendments are in response to petitions for reconsideration regarding the APR NESHAP rule revisions that were promulgated on October 8, 2014. In this action, we are revising the maximum achievable control technology (MACT) standard for continuous process vents (CPVs) at existing affected sources. In addition, we are extending the compliance date for CPVs at existing sources. We also are revising the requirements for storage vessels at new and existing sources during periods when an emission control system used to control vents on fixed roof storage vessels is undergoing planned routine maintenance. To improve the clarity of the APR NESHAP, we are also finalizing five minor technical rule corrections. In this action, we have not reopened any other aspects of the October 2014 final amendments to the NESHAP for the Manufacture of APR, including other issues raised in petitions for reconsideration of the October 2014 rule.]

10/15/18, [Proposed Rule, Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration](#), 52056-52107 [This action proposes reconsideration amendments to the new source performance standards (NSPS) at 40 Code of Federal Regulations (CFR) part 60, subpart OOOOa (2016 NSPS OOOOa). The Environmental Protection Agency (EPA) received petitions for reconsideration on the 2016 NSPS OOOOa. In 2017, the EPA granted reconsideration on the fugitive emissions requirements, well site pneumatic pump standards, and the requirements for certification of closed vent systems by a professional engineer based on specific objections to these requirements. This action proposes amendments and clarifications as a result of reconsideration of these issues. The proposed

amendments also address other issues raised for reconsideration and make technical corrections and amendments to further clarify the rule. Comments must be received on or before December 17, 2018.]

Donovan Grimwood TN Small Business Environmental Assistance Program 11/19/2018

Memo from ECOS concerning OECA's memos on the National Compliance Initiatives and how states and regions work together. (see Paula's email from November 13th for additional information on the memos):

ECOS Members:

First of all THANK YOU for your leadership and continued involvement in ECOS. Without you and your decision-making, ECOS cannot advance important state and national issues in an effective and meaningful manner. I would like to direct your attention to our request for feedback from your state. Also if you wish to include other teammates from your organization on these issues, please let me know.

EPA's Office of Enforcement and Compliance Assurance (OECA) has issued two memos setting forth changes they are making to how regions and states work together on compliance and enforcement matters and EPA's National Compliance Initiatives. The changes set forth in these two memos were largely identified by the ECOS and EPA members on the ECOS-EPA Compliance Assurance Workgroup, which concluded in August 2018 with our Final Report. EPA is now requesting input from ECOS members on these two memos by Monday, December 10, 2018. I included a proposed outline – feel free to expand if you need more room!

First, OECA is seeking state feedback on its January 2018 Interim Guidance memo. Your input on state-regional planning and compliance assurance activities will help OECA in developing the final version of this guidance. Let us know what you think is working well and what suggestions you have for improvement. EPA expects to issue final guidance by Spring 2019.

Second, OECA is seeking early input from states and tribes on the FY2020-FY2023 round of its National Compliance Initiatives (NCIs). See Transition from National Enforcement Initiatives to National Compliance Initiatives, which ECOS distributed to its members in ECOSWIRE on August 24. The NCIs were previously known as the National Enforcement Initiatives, and OECA has changed the name to highlight that compliance is the goal of these initiatives as well as to reflect a broader use of compliance assurance tools beyond formal enforcement. The FY2020-2023 round of NCIs are being developed with more opportunity for state engagement, and if states wish, more opportunity for helping to implement the NCIs. EPA Regional Offices have already sought input from their states on the NCIs, and OECA is also reaching out to the state and tribal media associations.

Individual state ECOS members may submit any comments they have on these two memos by December 10, 2018 to both Sonia Altieri at ECOS, saltieri@ecos.org, and Kathleen Johnson at EPA, Johnson.Kathleen@epa.gov. OECA indicates that there should be an opportunity for ECOS to offer its input as an association on these two memos in March 2019, but welcomes individual state input at this time. I know this is a busy time of year, but we do need your feedback on these issues.

Sara Johnson NH Small Business Environmental Assistance Program 11/15/2018

Today, the U.S. Environmental Protection Agency (EPA) completed another major Toxic Substances Control Act (TSCA) milestone by releasing the draft risk evaluation for Pigment Violet 29 (PV29), one of the first ten chemicals undergoing risk evaluation under TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act (Lautenberg Act). **“EPA has made tremendous progress fulfilling our new responsibilities for existing chemicals under the amended Toxic Substances Control Act,”** said EPA Acting Administrator Andrew Wheeler. **“Releasing the first draft risk evaluation conducted under this new authority shows that the Agency is delivering on its promise to meet the statutory deadlines and ensure the safety of chemicals currently on the market.”**

Upon publication of the Federal Register notice, the draft risk evaluation for PV29 will be available for public comment for 60 days in docket EPA-HQ-OPPT-2018-0604 on www.regulations.gov. With this action, the Agency will be providing the public with an opportunity to submit their feedback on the conclusions, findings, and determinations in the draft risk evaluation. EPA will use feedback received from the public to inform the final risk evaluation. The draft risk evaluation will also undergo peer review by the Science Advisory Committee on Chemicals (SACC) shortly. The SACC, the new Federal Advisory Committee required under TSCA, will provide scientific advice, information, and recommendations to EPA on chemicals regulated under TSCA.

PV29 is a chemical used as a colorant, primarily in inks, paints, coatings, and plastics. In June 2017, the Agency released a scoping document for PV29 including the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations EPA planned to consider in its risk evaluation. EPA further refined the scope of the risk evaluation in June 2018 by issuing and taking public comment on a problem formulation document. Draft risk evaluations for the remaining nine chemicals will be released for public comment over the coming months. EPA plans to issue final risk evaluations for the first ten chemicals by December 2019. [Learn more and view the draft risk evaluation for PV29.](#)

Background on The Trump Administration's Lautenberg Act Accomplishments

The Trump Administration through its work at EPA has undertaken many implementation activities which have enabled the agency to meet its statutory responsibilities under the Frank R. Lautenberg Chemical Safety for the 21st Century Act which amends the Toxic Substances Control Act, the Nation's primary chemicals management law. EPA has already met critical initial deadlines from the Lautenberg Act, including issuing the framework rules on existing chemicals prioritization, risk evaluation, and the existing chemicals inventory by the first-year anniversary of the Act on June 22, 2017.

On the second-year anniversary of the Lautenberg Act, EPA issued:

- Mercury Use Reporting Rule with deadlines and requirements to assist in updating the inventory of mercury supply, use, and trade in the United States.
- Alternative Testing Strategy to promote the development of alternative test methods to reduce vertebrate animal testing. On March 7, 2018, EPA released the draft strategy for public comment.
- Guidance on Generic Names.
- Policy on Assigning Unique Identifiers to chemicals and applying those identifiers to other information concerning the same chemical.
- Guidance on Expanding Confidential Business Information (CBI) access to states, tribes, and local governments; health and environmental professionals; and first responders.

On September 27, 2018, EPA issued a final Fees Rule to provide funding for Lautenberg Act implementation, including risk evaluations and reviewing CBI.

Finally, also in September 2018, EPA released the approach it anticipates using to identify chemicals that could be included in the next group of risk evaluations under TSCA while looking for input from the public on which chemicals should be prioritized for risk evaluation and which chemicals may be low priorities under TSCA.

Mark Stoddard IN Compliance & Technical Assistance Program 11/15/2018

This presentation includes a general overview of the proposed NPDES Applications and Program Updates Rule from May 2016 and what action EPA is in the midst of taking to finalize provisions of the proposed rule before the end of calendar year 2018. The final rule will make targeted changes to the NPDES regulations and update the suite of NPDES permitting application forms.

Frank Sylvester is a physical scientist with the U.S. Environmental Protection Agency's Office of Wastewater Management in Washington, D.C. He works with other EPA and state, territory, and tribal staff to implement the National Pollutant Discharge Elimination System (NPDES) permitting program. He has a background in science and law, having graduated from the State University of New York

College of Environmental Science and Forestry (SUNY-ESF) (M.S. in natural resources management) and from Syracuse University's College of Law (J.D.).

Nancy Larson KS Small Business Environmental Assistance Program 11/13/2018

Since nearly all of us have a Brewery or two in our region/state, I wanted to be sure you did not miss this, "Microbrewery Business Is Hopping" from the US Census Bureau. I use their American Fact Finder and other information to research small business relevant info frequently. FYI, Census Bureau also offers training on some of their tools. Kind of "nerdy" but very useful. Costs are low for the training. As you can see, CA could claim the title "Beer Capital" of the US! Though Colorado is not far behind.

Forwarded from La Ronda Bowen: Seriously, Data visualization is becoming increasingly popular. In CA, where we have a lot of money right now going into low income/disadvantaged/environmental Justice communities, the good and the bad news is that anyone can locate businesses by industry type and address very easily through our data visualization tool – Cal Enviro Screen. Unlike the EPA's EJ screen, ours does not focus on environmental "problem" areas but includes social and economic factors (Language other than English spoken in the home, income, age, educational attainment, reported health statistics, etc). These unlike attributes are combined to create a score and the resulting "disadvantaged communities". I share this so you will not be surprised if something similar gets underway in your state. In CA, some individuals are seeking tighter regulations on select small business sectors (gasoline service stations, metal platers, refineries large and small, etc.). This is true even though these businesses are already using BACT and are among the cleanest in the world. Closure of some of these firms is guaranteed according to the business owners themselves. That will mean reduced employment and opportunity for business ownership in areas needing it most. Are any other 507 program folks aware of similar trends in your state? [CARB AB 617 Community Air Protection Program](#). [See the EPA Enviro Justice Screen here](#). [See the CalEnviroScreen here](#). (oehha = Office of Environmental Health Hazard Assessment)

Tony Pendola NC Small Business Environmental Assistance Program 11/9/2018

This email regarding a significant realignment/reorganization of the EPA Regional Offices was sent late yesterday: In February 2018, the EPA released its reform plan in response to President Trump's March 2017 Executive Order 13781, Comprehensive Plan for Reorganizing the Executive Branch. The EPA's Reform Plan contains 11 projects, including Examining EPA's Field Presence. After reviewing information presented by the Field Presence Workgroup, the agency concluded that greater consistency in the EPA's regional organizational structure is needed to increase visibility into regional office operations. When the regional offices are organizationally aligned with headquarters, we will be better able to streamline decision-making for accountability and performance, allowing us to better carry out our mission. To do so, the Agency proposes to establish a standard organizational structure for its regional offices that is intended to:

- Increase coordination between EPA National Programs and their regional counterparts as we work to meet our strategic goals and objectives;
- Improve the consistent implementation of EPA regulations and policies;
- Allow for better resource allocation to more effectively carry out the agency's mission;
- Facilitate the agency's overall operational excellence; and
- Provide greater transparency for EPA customers.

Currently, every regional office has a different structure. The proposed new standard structure for every regional office includes the following:

Regional Administrator, Deputy Regional Administrator, and the following divisions:

Air and Radiation;

Administration and Resource Management (to include Office of Administration and Resources Management, Office of the Chief Financial Officer and Office of Environmental Information functions);

Enforcement and Compliance Assurance;
Land and Redevelopment (to include Office of Chemical Safety and Pollution Prevention and Brownfields functions);
Superfund and Emergency Management;
Water;
Laboratory Services and Applied Science; and
Regional Counsel (to include the Freedom of Information Act program).

We have received and reviewed each region's proposed detailed plan and incorporated them, as appropriate, into the realignment proposal. The plan maintains our 10 regional offices. This reorganization does not move staff geographically, reduce or demote staff, downsize/close/move regional offices or laboratories, or make any changes to specific regional or geographic programs.

Nancy Larson KS Small Business Environmental Assistance Program 8/27/2018

EPA Releases Agenda for Leavenworth PFAS Community Engagement Event

Media Contact: press@epa.gov

WASHINGTON (August 24, 2018) — Today, the U.S. Environmental Protection Agency (EPA) released an early agenda for the final per- and polyfluoroalkyl substances (PFAS) community engagement at the Riverfront Community center, 123 S. Esplanade, Leavenworth, Kansas. This event will allow EPA to provide important information to the public on the agency's PFAS actions and to hear directly from Heartland communities, states, local governments, and tribes about their experiences with PFAS.

Wednesday, September 5	
12:00 PM - 1:00 PM	Registration
1:00 PM - 1:30 PM	Welcome and Opening Remarks
1:30 PM - 2:00 PM	PFAS 101: Intro and EPA Research Overview
2:00 PM - 2:45 PM	State, Tribal, Federal and Local Panel
2:45 PM - 3:30 PM	Identifying Solutions for PFAS
3:30 PM - 7:15 PM	Listening Session

Additional details will be posted on the [PFAS Community Engagement Website](#). Both sessions are open to the public and press. If you are interested in attending the event, [please register here](#). Those interested in speaking should select the option to speak while registering. Please check back at the [PFAS Community Engagement website](#) for further information leading up to the event. Citizens are also encouraged to submit written statements to the public docket at <https://www.regulations.gov/> enter docket number: OW-2018-0270.

EPA has made addressing PFAS a priority, and EPA is moving expeditiously on the following actions:

1. EPA will initiate steps to evaluate the need for a maximum contaminant level (MCL) for PFOA and PFOS. We will convene our federal partners and examine everything we know about PFOA and PFOS in drinking water.
2. EPA is beginning the necessary steps to propose designating PFOA and PFOS as "hazardous substances" through one of the available statutory mechanisms, including potentially CERCLA Section 102.
3. EPA is currently developing groundwater cleanup recommendations for PFOA and PFOS at contaminated sites and will complete this task by fall of this year.
4. EPA is taking action in close collaboration with our federal and state partners to develop toxicity values for GenX and PFBS later this year.

Background

Throughout the summer, EPA has conducted similar engagements with communities impacted by PFAS. Community Engagements have been held in Exeter, New Hampshire (June 25-26); Horsham,

Pennsylvania (July 25); Colorado Springs, Colorado (August 7-8); and Fayetteville, North Carolina (August 14). The EPA also engaged with tribal representatives at the Tribal Lands and Environment Forum in Spokane, Washington, on August 15.

These community engagement events are critical to understand ways the Agency can best support the work that's being done at the state, local, and tribal levels. Using information from the National Leadership Summit, community engagements, and public input provided by the docket, EPA plans to develop a PFAS Management Plan for release later this year. To ensure that everyone who would like to provide input to the EPA has the opportunity to do so, the Agency has opened a docket for input from the public and will be [accepting comments until September 28, 2018](#). [Learn more about PFAS](#).

Sara Johnson NH Small Business Environmental Assistance Program 9/19/2018

Federal Register Notices - 9/12/18, [Proposed Rules, NESHAPs for Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture Residual Risk and Technology Reviews](#), Pages 46262-46341 [FR DOC# 2018-19018] [EPA is proposing the results of the residual risk and technology reviews (RTR) for three rules--the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Surface Coating of Large Appliances; the NESHAP for the Printing, Coating, and Dyeing of Fabrics and Other Textiles; and the NESHAP for the Surface Coating of Metal Furniture. The EPA is proposing to find the risks due to emissions of air toxics from these source categories under the current standards to be acceptable and that the standards provide an ample margin of safety to protect public health. We are proposing no revisions to the numerical emission limits based on these risk analyses or technology reviews. The EPA is proposing no new requirements based on the technology review of the NESHAP for the Printing, Coating, and Dyeing of Fabrics and Other Textiles. The EPA is proposing to require the use of high efficiency spray application equipment under the technology review for the two rules that employ the use of coating spray application, the NESHAP for the Surface Coating of Large Appliances and the NESHAP for the Surface Coating of Metal Furniture, if the source is not using the emission rate with add-on control compliance option. The EPA is also requesting comment on whether the high efficiency spray equipment technology requirement under the technology review is necessary in light of the risk analyses indicating that there are ample margins of safety. The EPA also is proposing to amend provisions addressing emissions during periods of startup, shutdown, and malfunction; to amend provisions regarding electronic reporting of performance test results; and to make miscellaneous clarifying and technical corrections. DATES: **Comments must be received on or before October 29, 2018.**]

8/31/18, [Proposed Rules, Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units: Emission Guideline Implementing Regulations; New Source Review Program](#), 44746-44813 [EPA is proposing three distinct actions, including Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units (EGUs). First, EPA is proposing to replace the Clean Power Plan (CPP) with revised emissions guidelines (the Affordable Clean Energy (ACE) rule) that inform the development, submittal, and implementation of state plans to reduce greenhouse gas (GHG) emission from certain EGUs. In the proposed emissions guidelines, consistent with the interpretation described in the proposed repeal of the CPP, the Agency is proposing to determine that heat rate improvement (HRI) measures are the best system of emission reduction (BSER) for existing coal-fired EGUs. Second, EPA is proposing new regulations that provide direction to both EPA and the states on the implementation of emission guidelines. The new proposed implementing regulations would apply to this action and any future emission guideline issued under section 111(d) of the Clean Air Act (CAA). Third, the Agency is proposing revisions to the New Source Review (NSR) program that will help prevent NSR from being a barrier to the implementation of efficiency projects at EGUs. DATES: **Comments must be received on or before October 30, 2018.**]

Nancy Larson KS Small Business Environmental Assistance Program 8/27/2018
Small Business Environmental Roundtable Issue for Discussion September 7, 2018

In implementing section 5 of amended TSCA, EPA has been in the process of revising its procedures for reviewing new chemicals. Key statutory provisions require EPA to make one of four possible determinations on a Pre-Manufacture (PMN) notice:

- The chemical substance presents an unreasonable risk.
- There is insufficient information in the notice for EPA to make a risk determination.
- There is insufficient information and the PMN substance may present an unreasonable risk.
- The PMN substance is not likely to present an unreasonable risk.

Before a PMN substance can be manufactured commercially, EPA must make an affirmative determination within 90 days of a PMN submission (with a possible one-time 90-day extension).

Amended Section 5 also requires that determinations must take into account risks to potentially exposed or susceptible subpopulations without consideration to cost or other non-risk factors. The agency must also consider reasonably foreseeable conditions of use, those being “the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.”

For the regulated community, it is essential that the New Chemicals program reduce delays, complete reviews within the statutory deadlines, and perform with greater predictability and transparency. Small businesses requiring significant research and development (R&D) and manufacturing lead-time need an EPA program that will allow them to meet customer demands, operate profitably, and bring innovative chemicals to market efficiently.

Speaker Bio: Jared Rothstein

Jared Rothstein is the Senior Manager of Regulatory Affairs at the Society of Chemical Manufacturers and Affiliates (SOCMA) overseeing the association’s advocacy efforts on environmental, health, and safety policies. He manages a broad range of regulatory issues including chemicals managements, accident prevention, process safety, and facility site security. SOCMA is the US-based trade association dedicated solely to the specialty and fine chemical industry. SOCMA members play an indispensable role in the global chemical supply chain, providing specialty chemicals to companies in markets ranging from aerospace and electronics to pharmaceuticals and agriculture. Over 70% of SOCMA’s manufacturer members are small businesses.

Sara Johnson NH Small Business Environmental Assistance Program 8/2/2018

Federal Register Notices – 7/25/18, [Final Rule, NESHAP Portland Cement Manufacturing Industry, Residual Risk and Technology Review](#), 35122- [This action finalizes the residual risk and technology review (RTR) conducted for the Portland Cement Manufacturing Industry source category regulated under national emission standards for hazardous air pollutants (NESHAP). These final amendments include no revisions to the numerical emission limits of the rule based on the RTR. The amendments reflect corrections and clarifications of the rule requirements and provisions. While the amendments do not result in reductions in emissions of hazardous air pollutants (HAP), this action results in improved monitoring, compliance, and implementation of the rule.]

7/24/18 and 7/31/18, Extension of Comment Period, Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act, [34967-34968](#) and [36837-36838](#)

[EPA is providing notice that it is supplementing the record for the proposed Risk Management Program (RMP) Reconsideration rule published on May 30, 2018. We have placed into the rulemaking docket the November 2017 version of the RMP database containing risk management plans submitted to EPA. EPA used this version to support analysis of changes in the RMP reporting facility universe discussed in the Regulatory Impact Analysis of the proposed Reconsideration rule. To afford the public an opportunity to comment on the updated RMP database and its impacts on the proposed Reconsideration rule, EPA is

extending the comment period for the proposed rule. DATES: The comment period for the proposed rule published on May 30, 2018 at 83 FR 24850, is extended. Comments and additional material must be received on or before August 23, 2018.]

7/12/18, [Notification of final action denying petition for reconsideration, NESHAP Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-chemical Pulp Mills](#), Pages 32213-32214 [EPA is providing notice that it has responded to a petition for reconsideration of the final National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-chemical Pulp Mills published in the Federal Register on October 11, 2017. The Acting Administrator denied the petition in a separate letter to the petitioners. The letter, which provides a full explanation of the agency's rationale for the denial, is in the rulemaking docket.]

7/10/18, [Proposed rule amendments, NESHAP and NSPS for Petroleum Refineries](#), 31939-31944 [Comments due August 9, 2018.]

Sara Johnson NH Small Business Environmental Assistance Program 7/2/2018

Federal Register Notices - July 2, 2018, [Final Rule Amendments, Remaining Requirements for Mercury and Air Toxics Standards \(MATS\) Electronic Reporting Requirements](#), Pages 30879-30883

[The EPA is taking final action to extend the period during which certain electronic reports required by the Mercury and Air Toxics Standards (MATS) may be submitted as portable document format (PDF) files using the Emissions Collection and Monitoring Plan System (ECMPS) Client Tool. This action will extend the end date of that period from June 30, 2018, to July 1, 2020. This extension is necessary because the electronic reporting system that owners or operators of affected MATS sources will be required to use when PDF filing is no longer allowed will not be available by June 30, 2018. This extension does not alter the responsibility of owners or operators of affected MATS sources to comply with the applicable MATS and report their compliance information to the appropriate authority. In addition, this extension ensures that the compliance information can be submitted in a timely manner and made available to the public. Finally, this rule is effective on July 1, 2018, to provide the regulated community a continuous and viable vehicle to submit compliance reports.]

June 15, 2018, [Proposed Rule Amendments, Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units: Technical Amendments](#), Pages 28068-28137 [On June 23, 2016, the EPA promulgated its final response to petitions for reconsideration of the final new source performance standards (NSPS) and emission guidelines (EG) for commercial and industrial solid waste incineration (CISWI) units that were promulgated on March 21, 2011, and revised after reconsideration on February 7, 2013. Following promulgation of the June 2016 final action, the EPA received requests from industry stakeholders and implementing agencies to clarify various issues with implementation of the standards. In addition, the EPA identified certain testing and monitoring issues and inconsistencies within the rules that required further clarification or correction. To address these issues, the EPA is proposing amendments to several provisions of the 2016 CISWI NSPS and EG. In addition, the EPA identified regulatory provisions that require clarification and editorial correction to address inconsistencies and errors in the final rules. If finalized, the proposed amendments will provide clarity and address implementation issues in the final CISWI NSPS and EG. The proposed revisions will not have any environmental, energy, or economic impacts, if finalized. Comments must be received on or before July 30, 2018.]

Nancy Larson KS Small Business Environmental Assistance Program 6/12/2018

It is coming! EPA's transition to e-manifests. I attended one of the R7 workshops yesterday and it was very well received by the audience. There are two more [Kansas workshops](#), but [EPA is hosting webinars](#)

[weekly](#). Clients can continue to use paper manifests, but they will pay about 5 times more than those that use the e-manifest system.

Nancy Larson KS Small Business Environmental Assistance Program 6/11/2018

EPA publishes TCE Problem Formulation: For those of you interested in reading or scanning the 200 page document, [find it here](#).

Nancy Larson KS Small Business Environmental Assistance Program 6/4/2018

From ORCR Web Box: Below are some recent announcements:

Definition of Solid Waste 2018 Rule

On May 23, the EPA Administrator signed a final rule implementing the recent court decision on EPA's 2015 definition of solid waste (DSW) rule on the recycling of hazardous secondary materials. In issuing its final decision, the court agreed with EPA's requested clarification that the definition of legitimate recycling applies in all circumstances. This decision ensures businesses and states have a consistent and clear definition of legitimate recycling of hazardous secondary materials. EPA encourages states to adopt the 2018 final rule, which implements these changes, and for industry to take advantage of these flexibilities to minimize waste through increased recycling of these materials. [More information](#).

Building Tribal Capacity through the National Tribal Waste Management Peer Matching Program

Issue 10 of the Tribal Waste Journal: *Building Tribal Capacity through the National Tribal Waste Management Peer Matching Program* focuses on strengthening tribal capacity and developing sustainable waste management programs through the National Tribal Waste Management Peer Matching Program. It provides examples of successful peer matches, resulting in sustainable and economically beneficial program improvements. [Check it out here](#).

Presentation Slides Posted from the Hazardous Waste Generator Improvements Rule Workshop

EPA developed the slides below for a six-hour workshop on [the Hazardous Waste Generator Improvements final rule](#) to spread awareness of this rule to the states and regulated community. The training is designed to describe and explain in more detail the rule's provisions and how this rule may potentially affect generators and states implementing the rule. [Access the presentation slides here](#).

Public Comment Period Open for the Draft Update to the Planning for Natural Disaster Debris Guidance and to Related Documents

EPA is requesting public comment on three documents. The first one is the draft guidance, Planning for Natural Disaster Debris. This draft guidance is an update to the Planning for Natural Disaster Debris guidance that EPA published in March 2008. EPA also is requesting public comment on the All-hazards Waste Management Decision Diagram and the Pre-Incident All-hazards Waste Management Plan Guidelines: Four-step Waste Management Planning Process. **The public comment period is open through June 26, 2018** via [Regulations.gov](#) under Docket ID No. EPA-HQ-OLEM-2017-0657. [Learn more here](#).

Sara Johnson NH Small Business Environmental Assistance Program 2/6/2018

Recent Federal Register Notices – February 1, 2018, [Notice of Three Public Listening Sessions, Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units](#); Pages 4620-4621 [In response to numerous requests for additional opportunities for the public to provide oral testimony on the proposed rule in more than one location, the EPA is announcing that three listening sessions will be held. In addition, the EPA will reopen the public comment period until April 26, 2018. On October 16, 2017, the Environmental Protection Agency (EPA) published a proposal to announce its intention to repeal the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, commonly referred to as the Clean Power Plan, as promulgated on October 23, 2015. The proposal also requested public comment on the proposed rule. The EPA held public hearings on November 28 and 29, 2017, in Charleston, West Virginia, and extended the public comment period until January 16, 2018.]

January 29, 2018, [Direct Final Rule, NESHAP: Off-Site Waste and Recovery Operations](#), 3986-3992 [This final action removes the additional monitoring requirements for PRDs on containers that resulted from the 2015 amendments because we have determined that they are not necessary. This action finalizes amendments to the NESHAP for Off-Site Waste and Recovery Operations (OSWRO). The final amendments address continuous monitoring on pressure relief devices (PRDs) on containers. This issue was raised in a petition for reconsideration of the 2015 amendments to the OSWRO NESHAP, which were based on the residual risk and technology review (RTR). Among other things, the 2015 amendments established additional monitoring requirements for all PRDs, including PRDs on containers. For PRDs on containers, these monitoring requirements were in addition to the inspection and monitoring requirements for containers and their closure devices already required by the OSWRO NESHAP. This action does not substantially change the level of environmental protection provided under the OSWRO NESHAP, but reduces burden to this industry compared to the current rule by \$28 million in capital costs related to compliance, and \$4.2 million per year in total annualized costs under a 7 percent interest rate. Over 15 years at a 7-percent discount rate, this constitutes an estimated reduction of \$39 million in the present value, or \$4.3 million per year in equivalent annualized cost savings. DATES: This final action is effective on January 29, 2018.]

January 26, 2018, [Revisions to Testing Regulations for Air Emission Sources](#), Pages 3636-3656 [This action proposes corrections and updates to regulations for source testing of emissions. The proposed rule includes corrections to testing provisions that contain inaccuracies, updates to outdated procedures, and approved alternative procedures that provide testers enhanced flexibility. The revisions will improve the quality of data but will not impose new substantive requirements on source owners or operators. DATES: Comments. **Written comments must be received by March 27, 2018.**]

Tony Pendola NC Small Business Environmental Assistance Program 1/25/2018

Wanted to give you a heads up about the following internal policy memo. Let me know if you have any questions.

Reducing Regulatory Burdens: EPA withdraws “once-in always-in” policy for major sources under Clean Air Act

WASHINGTON – Today, the U.S. Environmental Protection Agency (EPA) issued a guidance memorandum withdrawing the “once-in always-in” policy for the classification of major sources of hazardous air pollutants under section 112 of the Clean Air Act. With the new guidance, sources of hazardous air pollutants previously classified as “major sources” may be reclassified as “area” sources when the facility limits its potential to emit below major source thresholds.

“This guidance is based on a plain language reading of the statute that is in line with EPA’s guidance for other provisions of the Clean Air Act,” said Bill Wehrum, assistant administrator of EPA’s Office of Air and Radiation. “It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants.”

Today’s memo is another step by which EPA is reducing unnecessary regulatory burdens that deterred innovative efforts to improve the environment. The “once in always in” policy has been a longstanding disincentive for sources to implement voluntary pollution abatement and prevention efforts, or to pursue technological innovations that would reduce hazardous air pollution emissions. States, state organizations and industries have frequently requested rescission of this policy, which was one of the most commonly cited requests in response to President Trump’s Executive Order 13777. Today’s EPA action is an important step in furtherance of the president’s regulatory reform agenda while providing a meaningful incentive for investment in HAP reduction activities and technologies.

The Clean Air Act defines a “major source” as a one that emits, or has the potential to emit, 10 tons per year of any hazardous air pollutant, or 25 tons per year or more of any combination of hazardous air pollutants. Sources with emissions below this threshold are classified as “area sources.” Different control standards apply to the source depending on whether or not it is classified as a “major source” or an “area source.”

In a 1995 memo, EPA established a “once-in always-in” policy that determined that any facility subject to major source standards would always remain subject to those standards, even if production processes changed or controls were implemented that eliminated or permanently reduced that facility’s potential to emit hazardous air pollutants.

Today’s memo finds that EPA had no statutory authority under the Clean Air Act to place a time limit on when a facility may be determined to be an area source, and that a plain language reading of the Act must allow facilities to be reclassified as area sources once their potential to emit hazardous air pollutants falls below the levels that define major sources.

EPA anticipates that it will soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA’s plain language reading of the statute as discussed in this memorandum. [More information is available online.](#)

Barb Goode KS Small Business Environmental Assistance Program 1/25/2018

[Additional info](#), [some background](#). EPA today issued a guidance memorandum that withdraws the long-standing Once-In-Always-In policy for sources of hazardous air pollutants. EPA states: “On January 25, 2018, EPA issued a [guidance memorandum](#) withdrawing the “once in always in” policy for the classification of major sources of hazardous air pollutants under section 112 of the Clean Air Act. With the new guidance, sources of hazardous air pollutants previously classified as “major sources” may be reclassified as “area” sources at any time, provided the facility limits its potential to emit below major source thresholds.” EPA states in its memo that it will soon publish a notice in the *Federal Register* to take comment on regulatory text that will reflect this guidance.

Jeremy Hancher PA Small Business Development Center 11/10/2017

[AAPCA began compiling agency comments of the draft EPA FY 2018-2022 strategic plan.](#)

Lynelle Ladd KS Small Business Environmental Assistance Program 11/6/2017

On Oct. 3, EPA launched a program called *Smart Sectors*. Learn more about it and the history behind it [here](#) and the [factsheet](#). Also EPA has had a webpage for a while that consolidates regulatory information by certain industry sectors [here](#). I am assuming that the Smart Sectors, will do more of this, plus provide an easier method for trade associations and industry sector groups a voice in future regulatory planning.

R Mark Stoddard IN Compliance & Technical Assistance Program 11/6/2017

I recall the Common Sense Initiative which became or evolved into the Strategic Goals Program from about 1999 to 2002. Indiana worked with various stakeholders in the metal finishing industry as well as EPA and local government.

R Lynelle Ladd KS Small Business Environmental Assistance Program 11/6/2017

The factsheet hints that the Clinton-era “Common Sense Initiative” and the Bush-era initiative called “Sector Strategies”, which was discontinued in 2009, were the “parents” of this idea. I don’t know for how long, but the “[Regulatory Information by Sector](#)” has been around for a while and may have been part of the “Sector Strategies”. I am not sure but I wonder if they intend to do the same concept with the 14 industry sectors that they list, including update existing information and resources for those sectors already listed on the “Regulatory Information by Sector” page. For certain, gathering all regulatory requirements (at least Federal) into one spot under each industry-type is extremely helpful.

R Mark Stoddard IN Compliance & Technical Assistance Program 11/6/2017

I also recall working with EPA, an EPA contractor and an external stakeholder group comprised of business with the Indiana Cast Metals Association to work on an environmental management system template in 2002-2003. We would meet at various businesses that were engaged in metal casting at the time. I believe Navistar was one of the participants.

Sara Johnson NH Small Business Environmental Assistance Program 10/25/2017

Recent Federal Register Notices - 10/24/17, [Withdrawal of Final Rule, NESHAP for Wool Fiberglass Manufacturing; Flame Attenuation Lines](#) Page 49132 [Because the EPA received adverse comment, we are withdrawing the direct final rule for the NESHAP for Wool Fiberglass Manufacturing; Flame Attenuation Lines, published on July 27, 2017.]

10/16/17, Proposed Rule, [Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units](#), 48035-48049 [In this action, the EPA is proposing to repeal the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (EGUs), commonly referred to as the Clean Power Plan (CPP), as promulgated on October 23, 2015. Comments must be received on or before Dec 15, 2017.]

10/16/17, Final Rule, [NESHAP: Nutritional Yeast Manufacturing Residual Risk and Technology Review](#), 48156-48187 [This action finalizes the residual risk and technology review (RTR) conducted for the Manufacturing of Nutritional Yeast source category regulated under the NESHAP. In addition, we are finalizing other amendments, including revisions to the form of the volatile organic compounds (VOC) standards for fermenters, removal of the option to monitor brew ethanol, inclusion of ongoing relative accuracy test audit (RATA), and revisions to other monitoring, reporting, and recordkeeping requirements.]

10/11/17, Final Rule, [NESHAP: for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-chemical Pulp Mills](#) Pages 47328-47357 [This action finalizes the residual risk and technology review (RTR) conducted for the chemical recovery combustion sources at kraft, soda, sulfite, and stand-alone semi-chemical pulp mills regulated under the NESHAP. We are finalizing our proposed determination that risks from the source category are acceptable and that the standards provide an ample margin of safety to protect public health. We are also finalizing amendments to the NESHAP based on developments in practices, processes, and control technologies identified as part of the technology review. These final amendments include revisions to the opacity monitoring provisions and the addition of requirements to maintain proper operation of the electrostatic precipitator (ESP) automatic voltage control (AVC). Additional amendments are also being finalized including the requirement to conduct 5-year periodic emissions testing, and submit electronic reports; revisions to provisions addressing periods of startup, shutdown, and malfunction (SSM); and technical and editorial changes. These amendments are made under the authority of the Clean Air Act (CAA) and will improve the effectiveness of the rule.]

10/24/17, [Withdrawal of Final Rule, NESHAP for Wool Fiberglass Manufacturing; Flame Attenuation Lines](#) Page 49132 [Because the EPA received adverse comment, we are withdrawing the direct final rule for the NESHAP for Wool Fiberglass Manufacturing; Flame Attenuation Lines, published on July 27, 2017.]

10/16/17, Proposed Rule, [Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units](#), 48035-48049 [In this action, the EPA is proposing to repeal the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (EGUs), commonly referred to as the Clean Power Plan (CPP), as promulgated on October 23, 2015. Comments must be received on or before Dec 15, 2017.]

10/16/17, Final Rule, [NESHAP: Nutritional Yeast Manufacturing Residual Risk and Technology Review](#), 48156-48187 [This action finalizes the residual risk and technology review (RTR) conducted for the Manufacturing of Nutritional Yeast source category regulated under the NESHAP. In addition, we are finalizing other amendments, including revisions to the form of the volatile organic compounds (VOC) standards for fermenters, removal of the option to monitor brew ethanol, inclusion of ongoing relative accuracy test audit (RATA), and revisions to other monitoring, reporting, and recordkeeping requirements.]

10/11/17, Final Rule, [NESHAP: for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-chemical Pulp Mills](#) Pages 47328-47357 [This action finalizes the residual risk and technology review (RTR) conducted for the chemical recovery combustion sources at kraft, soda, sulfite, and stand-alone semi-chemical pulp mills regulated under the NESHAP. We are finalizing our proposed

determination that risks from the source category are acceptable and that the standards provide an ample margin of safety to protect public health. We are also finalizing amendments to the NESHAP based on developments in practices, processes, and control technologies identified as part of the technology review. These final amendments include revisions to the opacity monitoring provisions and the addition of requirements to maintain proper operation of the electrostatic precipitator (ESP) automatic voltage control (AVC). Additional amendments are also being finalized including the requirement to conduct 5-year periodic emissions testing, and submit electronic reports; revisions to provisions addressing periods of startup, shutdown, and malfunction (SSM); and technical and editorial changes. These amendments are made under the authority of the Clean Air Act (CAA) and will improve the effectiveness of the rule.]

Sara Johnson NH Small Business Environmental Assistance Program 10/23/2017

I am on the Lean/Continuous Process Improvement Team at NHDES. While NH does participate in lean activities and have a few lean “leaders” at our agency, we do not have a lean culture throughout the programs or divisions. We did a little research and found that some states are sharing their lean strategies, MOUs, and implementation plans on their state web pages. We have information from Wisconsin, Connecticut, Vermont, Colorado, Minnesota, Washington, New York and Arizona. Please share your state’s links on lean implementation plans, strategies, or culture. [New Hampshire’s page](#). We hope to review all that implementation plans, charters, pages, to see how we can create a lean culture at NHDES.

Nancy Larson KS Small Business Environmental Assistance Program 10/2/2017

Forwarded from David Rostker: The Office of Advocacy will be hosting a Regulatory Reform Roundtable in Glen Allen, Virginia on October 16. The purpose of these roundtables is to help us identify specific regulatory barriers to small business growth through first-hand testimony and thereby assist federal agencies in complying with the President’s directive to eliminate burdensome regulations. Please see the attached announcement for more detail. Advocacy needs input from Virginia small businesses that we can use to pursue reforms that will benefit their businesses. Advocacy is hosting this roundtable at the request of U.S. House Small Business committee member, Rep. Dave Brat, who will be in attendance. Congressman Brat serves as the Chairman of the Small Business Subcommittee on Economic Growth, Tax, and Capital Access. We also expect representatives of federal agencies and other congressional offices to attend the roundtables.

- On Monday, October 16 in Glen Allen, Advocacy will host a roundtable discussion from 9:30am – 12:00pm at 4201 Dominion Blvd. Registration will begin at 9 am. To register or see more information on this event [visit this link](#).

Advocacy has previously held regional regulatory reform roundtables in Louisiana, Idaho, Washington, Kentucky, Ohio, Missouri and Kansas. Please visit our [Regulatory Reform webpage](#) to see what we’ve heard at these previous roundtables and to view all of our Regulatory Reform activity. This invitation is public and may be distributed. Future Regional Regulatory Reform Roundtable in other parts of the country will be announced as they are scheduled. For those unable to attend a roundtable, we have established an [online form for small businesses to tell us about their federal regulatory concerns](#).

Sara Johnson NH Small Business Environmental Assistance Program 9/12/2017

Federal Register Notices – 8/29/17, [Proposed Rule, NEHSAP for Wool Fiberglass Manufacturing; Rotary Spin Lines Technology Review](#), Pages 40970-40981 [In this action, the Environmental Protection Agency (EPA) is proposing amendments to previous proposals to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Wool Fiberglass Manufacturing source category. In the July 29, 2015, final rulemaking, the EPA deferred action on previously proposed formaldehyde, methanol and phenol emission limits from rotary spin (RS) lines at wool fiberglass manufacturing facilities. In this action, the EPA is proposing to readopt the existing emission limits for formaldehyde, to establish emission limits for methanol, and to establish a work practice standard for phenol emissions from bonded RS lines at wool fiberglass manufacturing facilities. In addition, the EPA is proposing amendments to the emission limits promulgated on July 29, 2015, for formaldehyde, methanol, and phenol from flame

attenuation (FA) lines at wool fiberglass manufacturing facilities. The EPA is only taking comments on the specific proposed requirements and revisions set forth in this proposed rulemaking, which are based on information contained in this proposal. The EPA is not taking comment on any aspect of previous rulemakings, including the November 25, 2011, April 15, 2013, and November 13, 2014, proposals.

DATES: The EPA must receive written comments on this proposed rule on or before October 13, 2017.]

8/24/17, Proposed Rule, [NESHAP: Manufacture of Amino/Phenolic Resins](#), Pages 40103-40118 [On October 8, 2014, the EPA finalized amendments to the NESHAP for the Manufacture of Amino/Phenolic Resins (APR). Subsequently, the EPA received three petitions for reconsideration of the final rule. The EPA is reconsidering and requesting public comment on issues related to the maximum achievable control technology (MACT) standards for continuous process vents (CPVs) at existing affected sources. The EPA is proposing to revise the MACT standard for back-end CPVs at existing affected sources based on hazardous air pollutant (HAP) emissions test data for back-end CPVs at existing sources for this source category submitted by petitioners. The EPA is also soliciting comments regarding the need to revise the standard for front-end CPVs at existing sources, and to extend the compliance date for the proposed revised emission limit for back-end CPVs at existing sources. Additionally, the EPA is proposing requirements for storage vessels at new and existing sources during periods when an emission control system used to control vents on fixed roof tanks is undergoing planned routine maintenance. The EPA is seeking comments only on the four issues specifically addressed in this notice: proposed revised back-end CPV MACT standards for existing sources, whether the EPA should modify the front-end CPV MACT standards for existing sources, whether the EPA should extend the compliance date for the proposed revised back-end CPV MACT standards for existing sources, and the proposed work practice standards for storage vessels during planned routine maintenance of emission control systems. In this rulemaking, the EPA is not reopening or requesting comment on any other aspects of the 2014 final amendments to the NESHAP for the Manufacture of APR, including other issues raised in petitions for reconsideration of the 2014 rule. The EPA estimates this proposal, if finalized as proposed, would reduce compliance costs to this industry by \$2.1 million per year, compared to a revised cost estimate of the MACT standard as amended in 2014. DATES: Comments must be received on or before October 23, 2017.]

8/22/17, Proposed Rule, [NESHAP From the Portland Cement Manufacturing Industry: Alternative Monitoring Method](#), Pages 39712-39715 [The EPA is proposing to amend the Portland Cement NESHAP. We are proposing to revise the testing and monitoring requirements for hydrochloric acid (HCl) due to the current unavailability of HCl calibration gases used for quality assurance purposes. DATES: The EPA must receive written comments on this proposed rule on or before October 6, 2017.]

8/22/17, Final Rule, [NESHAP From the Portland Cement Manufacturing Industry: Alternative Monitoring Method](#), Pages 39671-39673, [The EPA published a direct final rule in the Federal Register on June 23, 2017 titled NESHAP From the Portland Cement Manufacturing Industry: Alternative Monitoring Method. This final rule removes the provisions that were added in the June 23, 2017, direct final rule and restores the provisions that were deleted in that rule.]

John Podolinsky MT Small Business Environmental Assistance Program 7/19/2017

Check out [this report from Montgomery county MD](#). Lots of good info, displayed well. Also lots of ideas for projects and how to execute those projects (EPC, public-private partnerships, solar, recycling, etc...).

[R Sara Johnson NH Small Business Environmental Assistance Program 7/19/2017](#)

[They also use a data visualization tool. If you scroll down, they have data from lots of programs, including environmental protection. "Montgomery County Priority Objectives](#)

In 2006, a diverse group of 150 residents were tasked with identifying the qualities of life in Montgomery County that matter most. The results of their work are the eight Priority Objectives shown below. Clicking on an Objective tile will show you a set of high-level indicators tracking Montgomery County's performance in each area based on Census and other public data, plus the entire range of County Department Headline Performance Measures that align with the selected area." More states and counties are using these tools to tell their story.

Brent Goetz OH EPA 7/11/2017

We are a week out from next Tuesday's Technical Sub-Committee meeting and I am looking forward to a productive and beneficial hour of information sharing! The topic for this month's meeting will be calculating PTE for surface coating operations. I am sure that many of you have faced challenging situations, which calculating PTE for these operations did not always yield a realistic PTE and sometimes triggered unnecessary permitting obligations. These calculations can be especially challenging for businesses who might coat large things infrequently, resulting in a vastly overinflated PTE. In preparation for next Tuesday's meeting I am requesting a few examples of these difficult situations along with the outcome in your respective state. I would like the included calculations if possible, however if you don't have the calculations maybe we can work through them together as a group. I will sort through what is provided and pick a variety for discussion points during our call next Tuesday.

R Tony Pendola NC Small Business Environmental Assistance Program 7/13/2017

Easy solution in NC! "(b) Potential emissions for a coating operation, solvent cleaning operation, or graphic arts operation **shall be determined using actual emissions**"

R Brent Goetz OH EPA 7/13/2018

Did you make that happen, if so what process did you go through?

R Harry Ching NY Small Business Environmental Assistance Program 7/13/2018

Tony, how does this work for EPA (Title V)? Does EPA accept this or does it conflict with their definition or do you just use this for state purposes?

R Tony Pendola NC Small Business Environmental Assistance Program 7/13/2018

I think EPA cares about Title V facilities which are not eligible for this rule.

R Lynelle Ladd KS Small Business Environmental Assistance Program 7/13/2017

For the purposes of determining a source's PTE (being less than major source thresholds) as described in 15A NCAC 02Q .0803(c) [I hope that is a correct reference to the NC regulation], how is that determined? Is PTE initially determined using the former methodology used in NC and if the facility is below major source then actuals can be used as PTE? Or are actuals used and completely replace the former methodology for PTE calculation and the source would only become "major" if somewhere down the line their actuals exceeded major source thresholds?

R John Yntema GA Department of Natural Resources 7/14/2017

Is that rule definition really in your state SIP???

Joan B. Rogers EPA Office of Small and Disadvantaged Business Utilization 6/19/2017

The Office of Advocacy will be hosting Idaho Regulatory Reform Roundtables in Boise and Coeur d'Alene next month. The purpose of these roundtables is to help us identify specific regulatory barriers to small business growth through first-hand testimony and thereby assist federal agencies in complying with the President's directive to eliminate burdensome regulations. Please see the attached announcement for more detail. Advocacy needs Idaho small business input we can use to pursue reforms that will benefit

their businesses. We also expect representatives of federal agencies and congressional offices to attend the roundtables.

On Tuesday, July 11 in Boise, Advocacy will host a roundtable discussion from 8:00 a.m. to noon at the Riverside Hotel. [More information on this event can be found here.](#)

Advocacy will be in Coeur d'Alene on July 13 from 8:00 a.m. to noon at the Best Western Plus Coeur D'Alene Inn. [More information on this event can be found here.](#) [We also have established an online form for small businesses that may not be able to attend, but have regulatory issues they'd like to tell us about.](#) [Advocacy has a webpage for all of our Regulatory Reform activity.](#) This invitation is public and may be distributed to your members, colleagues, and clients. Future Regional Regulatory Reform Roundtable in other parts of the country will be announced as they are scheduled.

Sara Johnson NH Small Business Environmental Assistance Program 4/25/2017

Dear Small Business Assistance Providers,

As a state small business partners we want to make sure you are aware that these listening and comment meetings start today with the Office of Air and Radiation. A detailed schedule for the various offices and departments can be found below.

The Small Business Environmental Assistance Program have a National Steering Committee that is working hard to organize and provide comment. Of special interest to our small business audience is the work that Joan Rogers and Paula Hoag are doing through the [Office of Small and Disadvantaged Business Utilization](#). **However, your voice is needed too!**

Please help us spread the word about "[Public participation in EPA's Regulatory Reform](#)" as a web link or story through your e-mail distributions and newsletters. Make time to participate in a listening meeting or webinar. Find the schedule below, on our [calendar](#) or at <https://www.epa.gov/laws-regulations/regulatory-reform#Public>.

- The [Office of Air and Radiation](#) plans a [public meeting via teleconference on April 24, 2017](#) at 11:00 a.m. EDT.
- The [Office of International and Tribal Affairs](#) will host an [outreach call with tribal representatives on April 24, 2017](#) at 2:00 p.m.
- The [Office of Small and Disadvantaged Business Utilization](#) plans a [public meeting](#) on April 25, 2017 from 10 a.m. - 1 p.m. EDT.
- The [Office of Water \(OW\)](#) is planning to meet with water associations, including [ECOS](#), [ACWA](#), [ASDWA](#), and [GWPC](#) on April 26, 2017 from 1:00 - 3:00 p.m., with regulatory reform discussion between 1-2 p.m.
- The [Office of Congressional and Intergovernmental Relations](#) will host a meeting with intergovernmental representatives on April 26, 2017 at 2:00 p.m.
- The [Office of Chemical Safety and Pollution Prevention \(OCSPP\)](#) will host [a public meeting on May 1, 2017](#) from 9:00 a.m. – 12 noon p.m. EDT on TSCA Subchapters I, II and VI rules and as well as EPCRA Subchapter II § 11023 rules.
- [OCSPP](#) will host [a public meeting on May 1, 2017](#) from 1:00 p.m. - 2:30 p.m. EDT on TSCA Subchapter IV (Lead Exposure Reduction) rules.
- [OW](#) is planning a virtual listening session for the public on May 2, 2017 from 11 a.m. - 2 p.m.
- [OCSPP](#) will meet with the Pesticide Program Dialogue Committee on May 4, 2017 from 9:00 a.m. - 12:00 p.m. EDT.
- The [Office of Land and Emergency Management \(OLEM\)](#), will host a [public meeting to obtain public feedback on May 9, 2017](#), from 9:00 a.m. to 5:00 p.m. EDT in Arlington, VA.

This is a great opportunity for us to make sure the small business voice is represented. Thanks in advance for your commitment and participation!

Nancy Larson KS Small Business Environmental Assistance Program 4/14/2017

Hello SBEAP trade associations – We want to make sure you know about this opportunity for comment sent out originally by Joan B. Rogers, Deputy Director EPA Office of Small and Disadvantaged Business

Utilization. The Environmental Protection Agency (EPA) Office of Small and Disadvantaged Business Utilization (OSDBU), in implementing [EO 13777](#): Enforcing the Regulatory Agenda, is hosting a meeting to consult with our external stakeholders, to hear which rules and regulations our stakeholders believe should be repealed, replaced, or modified, consistent with applicable law. The Executive Order, signed February 24, 2017, establishes the “policy of the United States to alleviate unnecessary regulatory burdens placed on the American people.” Among other things, it requires each agency to create a Regulatory Reform Task Force to evaluate existing regulations and to identify regulations that should be repealed, replaced or modified. The meeting will afford the agency an opportunity to listen and learn directly from those impacted by our regulations.

Sara Johnson NH Small Business Environmental Assistance Program 4/3/2017

3/16/17, Final rule; delay of effective date, [Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Further Delay of Effective Date](#) [By a letter dated March 13, 2017, the Administrator announced the convening of a proceeding for reconsideration of the final rule that amends the chemical accident prevention provisions addressing Risk Management Programs under the Clean Air Act published in the Federal Register on January 13, 2017. The effective date of these regulations had been March 21, 2017. By this action, the EPA is administratively staying and delaying the effective date of this rule for 90 days. Thus, the January 13, 2017 rule will become effective on June 19, 2017.]

Janet Bowen EPA Region I 12/21/2016

4. Final Rule: Hazardous Waste Generator Improvements, published on 11/28/16

The final Hazardous Waste Generator Improvements Rule was published in the Federal Register on November 28, 2016. The effective date is May 30, 2017. [Federal Register](#). [Website](#). [Fact Sheet](#). [FAQ](#).

7. [FDA bans powdered surgeon gloves; powdered patient examination gloves; absorbable powder for surgeon's glove](#), 12/12/16

8. Climate Adaptation: The State of Practice in U.S. Communities, November 2016

"Climate Adaption: The State of Practice in U.S. Communities", is the first study to examine in depth actions that multiple municipalities are taking to address climate-change fueled events like flooding, heat waves, wildfires, and intense storms. Findings show that more municipalities are preparing for climate risks than conventionally believed. Many of those actions support multiple community goals and values, and despite the progress, much more work is necessary to comprehensively address climate risks. [Read the Full Report](#). [Learn More](#).

9. Climate Ready Boston

Climate Ready Boston is an initiative to develop resilient solutions to prepare our City for climate change. Climate Ready Boston is an ongoing initiative. They released a comprehensive study report in December 2016 (linked below). Next, they plan to work with the community and other partners to help advance their vision for a Climate Ready Boston. [Read report](#). [Website](#).

10. The Rockefeller Foundation, USDA, and EPA to Lead Creation of National Resource Center for Action Against Food Waste, 12/15/16

Coalition of 12 organizations set to launch FurtherWithFood.org, an online hub for information and solutions to cut food waste

The Rockefeller Foundation announced its collaboration with the U.S. Department of Agriculture (USDA), the U.S. Environmental Protection Agency (EPA), and a partnership of 10 private sector and non-profit organizations to create "Further With Food: Center for Food Loss and Waste Solutions," an online hub for the exchange of information and solutions that can help realize the national goal of cutting food waste in half by 2030. *** When the Further With Food website launches in January, 2017, it will feature content on best practices for preventing, recovering and recycling food loss and waste; educational materials; research results; and information on existing government, business, and community initiatives. [View press release](#). [Website \(official launch January 2017\)](#).

11. Chicago Regional Demonstration Project Report Presented by HPRC and PLASTICS, December 2016

The Healthcare Plastics Recycling Council and Plastics Industry Association (PLASTICS) facilitated a cooperative, first-of-its-kind regional recycling program in the Chicago area and the results of this innovative pilot are in. [View report. Check out other hospital HPRC resources.](#)

13. Georgetown Climate Center Report Captures and Shares Lessons Learned from the Rebuild by Design Resilience Projects Following Hurricane Sandy, 11/14/16

This Georgetown Climate Center report aims to capture and share lessons learned from the innovative process for developing the RBD proposals and the novel projects that were generated through this competition. This report describes how the Hurricane Sandy Rebuild by Design Competition projects are demonstrating innovative approaches for rebuilding in ways that will make our communities more resilient to future climate impacts and other environmental changes, as well as to social and economic stressors. It describes the lessons that can be learned from these projects about how these approaches can be institutionalized and replicated in other communities and regions across the nation. [Article. Report. Summary of Key Lessons.](#)

14. LOW IMPACT DEVELOPMENT TOOLKIT

prepared for the city of mesa, arizona

The three main components of the LID Toolkit are: 1) The LID Toolkit includes a user-friendly catalogue of tools including the description, installation methods, and maintenance needs for each LID practice; 2) Best practices include examples of current practices compared with LID best practices that can be used in new or existing development and 3) Case studies include supporting information for local and national case studies of LID implementation and City-specific data.

15. Healthy Hospital, 2016 November-December

16. Recycling Program Helps Two Midwestern Universities Turn Used Gloves into Eco-Responsible Durable Goods, 11/23/16

17. Operating on medical and hospital projects: sustainable buildings/energy efficiency, 11/22/16

18. Guest View: Sparrow Ionia Hospital is LEED certified, 11/30/16

19. Partnership between St. Joseph Hospital and Waste Not OC makes use of excess food and identifies those in need, 12/6/16

20. Florida Health Systems Share Regional Energy and Water Efficiency Best Practices, 12/6/16
The Greenbeat blog

21. COP22 | Spotlight on Climate and Health as Officials Map out Implementation of Paris Agreement, 11/29/16

22. Companies are getting strategic about their energy use: 5 key trends, 11/14/16

23. Operating on medical and hospital projects: sustainable buildings/energy efficiency, 11/22/16

Engineers tasked with working on hospital and medical campuses find themselves tackling unique challenges: evolving technology, increased specialization, and maintaining operations while under construction. Here, professionals with experience on such facilities share advice on how to finish projects that report a clean bill of health for sustainable buildings and energy efficiency

25. New purpose-built Cape Town hospital's sustainable hospital operations management, 12/8/16

26. New VA hospital built to withstand disasters, 12/15/16

Louisiana Veterans Health Care System hospital meets patients' needs in a highly resilient facility

27. Going Green For Good: Valley Recognized For Recycling Leadership

28. Health Care is a Beacon of Hope for Food and Health in Uncertain Times, 12/14/16

29. Challenges of hospital plastics recycling include contamination, low commodity values, 12/20/16
WasteDive

30. Chicago-Area Hospitals Share Successes, Challenges of Pilot Healthcare Plastics Recycling Program, 12/19/16

The project, led jointly by the Healthcare Plastics Recycling Council and the Plastics Industry Association, exposes complexities around plastic market economics and recycling behavioral change

31. Is Innovation the Key to Successful Healthcare Plastics Recycling? 10/25/16