

SMALL BUSINESS OMBUDSMAN UPDATE

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United States Environmental Protection Agency
Washington, DC 20460

MEMORANDUM

Home Page www.epa.gov/sbo



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SUBJECT: Update on Recent Small Business
Activities at the U.S. EPA

FROM: Karen V. Brown, Director
Small Business Division
Small Business Ombudsman

TO: Persons Interested in Small Business
Environmental Issues

DATE: July, 2002

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ANNUAL CONFERENCE A SMASHING SUCCESS!

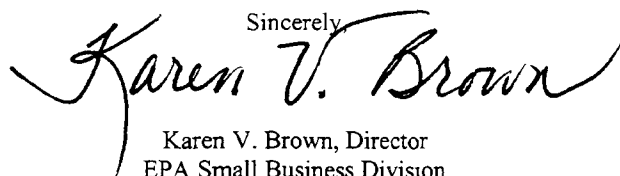
I am pleased to let you know that our Annual National Small Business Assistance Program conference hosted by the state of Illinois, and held in Chicago on June 30-July 3rd was a smashing success. The special sessions held this year on Compliance Advisory Panel and Environmental Management Training were very well attended and the feedback so far is extremely positive. This event just gets better each year.

For me, the conference was a perfect opportunity to introduce and welcome new members of EPA's Small Business Division. These bright, enthusiastic, and experienced staff are eager to help EPA more effectively deal with small business issues. Historically we have shown that a lot can be done with a few staff; now we will be doing a whole lot more.

At the conference we were thrilled to unveil a new EPA booklet we have developed entitled "Opening Doors for America's Small Business." The booklet presents an exciting subset of over 100 of EPA's small business initiatives. It also features key messages of support from President Bush and Administrator Whitman. Visibility of small business issues at EPA has never been higher.

For those who attended the conference, this newsletter should help continue the spirit we experienced in Chicago. For those who could not attend the conference, I hope you learn from this newsletter more about how EPA is helping small business succeed while also helping the environment.

Sincerely,


Karen V. Brown, Director
EPA Small Business Division

ONE-STOP-RELIEF SMALL BUSINESS OMBUDSMAN FUNCTIONS

EPA's Office of the Small Business Ombudsman (OSBO) performs the following functions:

- Provides a convenient way for small businesses to access EPA.
- Facilitates communications between the small business community and EPA;
- Investigates and resolves disputes with EPA; and
- Works with EPA personnel to increase their understanding of small businesses in the development and enforcement of environmental regulations.

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Recent Initiatives to Better Serve You

- ▶ Facilitating meetings between EPA Deputy Administrator, senior management, and industry to give the Agency an opportunity to hear first hand the concerns of small business.
- ▶ Ensuring that program offices followed up on issues raised at the May 2002 Deputy Administrator meeting with key Small Business Trade Associations.
- ▶ Advocating for and participating in the Small Business Regulatory Enforcement Fairness Act (SBREFA) process and in reviewing EPA regulatory actions to address small business issues and concerns. Providing outreach and assistance to the small business community on SBREFA.
- ▶ Providing recommendations to program offices on several rules in the development stage including hazardous waste recycling initiatives. Continuing to participate as workgroup members on numerous rules to help shape initiatives prior to proposal.
- ▶ Coordinating with the Office of Air Quality Planning and Standards to provide a grant to the State of Maryland for the tenth Annual SBO/SBAP Conference to be held in Baltimore, Maryland, April 2003.
- ▶ Hosting the Small Business Regional Liaison Conference for EPA regions and SBO/SBAP Steering Committee Members and alternate, July 31-August 2, 2002 in Washington, DC.
- ▶ Developing a Small Business Environmental Management (EM) Guide and piloting EM training programs in five states across the country, and at the 2002 National SBO/SBAP Conference in Chicago. Also, developing a workbook to use with the Guide.
- ▶ Distributing a Resource Directory of Small Business Environmental Assistance Providers developed by the Small Business Division to give the small business community easy access to resources at the Federal, state, and private levels.
- ▶ Supporting the development and distribution of promotional materials designed by the SBO/SBAP Promotional Subcommittee, to better communicate the availability of technical and other assistance provided by the State SBO/SBAP Programs to small businesses.
- ▶ Funding the development of two expert systems for small business. The first expert system will be designed for the UIC Class V Injection Well regulation, and the second system will be designed for auto salvage.
- ▶ Supporting the development of a SBO-SBAP Listserve as an opportunity for small business assistance providers and others in the small business community to share information and ideas.
- ▶ Responding to over 15,000 calls on the Small Business Ombudsman Hotline throughout the year.
- ▶ Issuing a fall, winter, and spring electronic newsletter, *SBO Quarterly News Alert*, as a means to give state small business programs and EPA regional programs an opportunity to share success stories and information about small business activities in their state or region.
- ▶ Compiling a listing of all small business initiatives underway at EPA. Over 100 initiatives were identified. The complete list will be posted on the SBO website.
- ▶ Promoting an exciting new Agency booklet, *Opening Doors for America's Small Businesses*, produced in the Small Business Division. This publication is a great introduction to the key EPA services that are available to help America's small businesses.

EPA's Small Business Division -- Recent Activities

EPA's Small Business Division (SBD) is focusing on a number of activities aimed at addressing the unique environmental needs of the Nation's small businesses. Recent activities include support for the Compliance Assistance Advisory Panels (CAPs), a revised EPA Small Business Strategy, and new tools and resources for small businesses and small business assistance providers.

Annual Cap Training Is A Success!

Thirty-six participants received in-depth training on the mission, role and functions of the CAPs, from both the state and national perspectives on June 30, 2002 in Chicago. Six of the ten presenters during the session were CAP Members; in other words, they were actual small business owners. This change in presentation format was a direct result of input received from participants in last year's session, who expressed a desire to hear directly from CAP Members the benefits of serving on the CAPs and how they saw their roles in their respective CAPs.

Taking that feedback to heart, SBD and the newly-formed National CAP (NCAP) worked hand-in-hand to develop the format and agenda presented at this session. Also, the CAP Resource Guide distributed to session participants was completely updated and restructured to include statutory authority, EPA's responsibilities, background, infrastructure, detailed information on both the NCAP and state CAPs, outreach tips, and an extensive list of resources or tools available to both assistance providers and small business owners alike. The feedback received to date on both the training session and the Resource Guide has been overwhelmingly positive and several requests have already been received for additional copies of the Resource Guide. There is also a suggestion that this type of session be held twice per year instead of only during the annual conference.

SBD and the NCAP welcome your input on both the training and the Guide to enable us to improve the next session. **Please send any comments or suggestions to Elsa Bishop at { [HYPERLINK mailto:bishop.elsa@epa.gov](mailto:bishop.elsa@epa.gov) } or 202/260-0082.**

EPA's Revised Small Business Strategy

In 1984, the Agency unveiled its first Small Business Strategy, entitled *EPA Small Business Initiatives: Strategy for Improved Regulation and Compliance*, which focused on improving both the Agency's regulation of small business entities and their level of compliance with environmental regulations. Although significant progress was made in addressing the recommendations of the 1984 Strategy, the Agency recognized that there was a lot more it could do to help small businesses meet their environmental responsibilities.

SBD conducted a series of interviews and focus groups with EPA, states, industry representatives, and other interested stakeholders to better understand the current issues and obstacles facing small businesses. SBD also sought out stakeholders' ideas about specific actions that we could implement to address these issues. The most recent meetings included interviews with all of EPA's Program Offices, which identified over 100 initiatives designed to help small businesses fulfill their environmental responsibilities. The findings of these interviews and meetings form the basis of the revised Small Business Strategy, which focuses on how the Agency is integrating an awareness of small businesses into all of its core functions and recommending where it should concentrate its resources for the future to meet the challenges facing small businesses.

After EPA completes its internal review of the draft Strategy, we will distribute it for review by states, SBOs/SBAPs, industry representatives, and other interested parties. **If you are interested in participating in that review, please contact Karen Brown at { [HYPERLINK "mailto:brown.karen@epa.gov"](mailto:brown.karen@epa.gov) } or at 202/260-1390.**

New Tools and Resources for Small Businesses

- ***Practical Guide To Environmental Management For Small Businesses (Guide)***
The *Guide* will help small businesses put in place a functional, efficient environmental management plan. By following the *Guide's* recommendations from beginning to end, small businesses can develop all the elements of a fully functional environmental management plan without being overwhelmed or overworked. The final version of the *Guide* will be published and available for distribution during August 2002 and will be posted on the SBO web page.
- ***Shedding Light on an Environmental Management Plan for Your Small Business (Workbook)***
This Workbook goes hand-in-hand with the *Guide*. The *Guide* describes a common sense process for improving the business's environmental activities. The Workbook shoes small business owners the steps to take while going through the process and provides a convenient place to keep and organize all of the information they compile while developing their environmental management plan. The draft Workbook is available for review and is scheduled for completion during August 2002.
- ***Cultivating Environmental Management: Working with Small Businesses***
This one-day workshop gives SBAPs training and communication tools that they can use to introduce the *Guide* to their client small businesses. Workshops were held in seven locations across the U.S. and a report summarizing the outcome from the workshops will be posted on the SBO web page.
- ***Plugging into Best Environmental Management Practices for Small Businesses***
This compendium of ten sector-specific fact sheets provide small businesses ideas on how to apply pollution prevention techniques to everyday business activities, while improving their bottom line in the process. The completed fact sheets will be posted on the SBO web page.
- ***Expert Systems for Small Businesses***
The objective of an expert system is to provide consistent, accurate information that is always available and centrally updateable. Expert systems offer an opportunity to provide a new form of compliance assistance. These web-based programs contain the focused knowledge of regulatory specialists or industry experts. SBD has commissioned two fundamental expert systems to illustrate the potential of this technology. The first system assists in guiding compliance with the Class V Injection Wells regulation and is being prepared for review on the small business environmental homepage by the end of July. The second system assists automotive salvage and recycling operations and is being prepared for review by the end of August. Watch for both systems on www.smallbiz-enviroweb.org.
- ***Environmental Emergencies Planning Guide for Small Businesses***
Over the past few years a number of unanticipated events have raised questions about how prepared small businesses are for environmental emergencies. With this new initiative, SBD wants to provide small businesses with information on what they are required to do to prepare for such events as well as provide information on good management practices that are not required but just make common sense.

If you are looking for more information on any of these tools or resources, contact Dan Eddinger at { [HYPERLINK "mailto:edding.daniel@epa.gov"](mailto:edding.daniel@epa.gov) } or 202/260-1133.

New Guide Helps Small Businesses Navigate EPA

EPA's newest publication, *Opening Doors for America's Small Businesses*, is a great introduction to the key EPA services that are available to help America's small businesses.



EPA has initiated over 100 activities designed to help small businesses fulfill their environmental responsibilities. Although not every EPA small business initiative is described in the new publication, it is a useful guide to begin exploring the available resources.

The publication addresses five critical areas for small businesses including utilizing "one-stop" assistance, improving regulations, managing environmental compliance, encouraging environmental leadership, and preparing for the future.



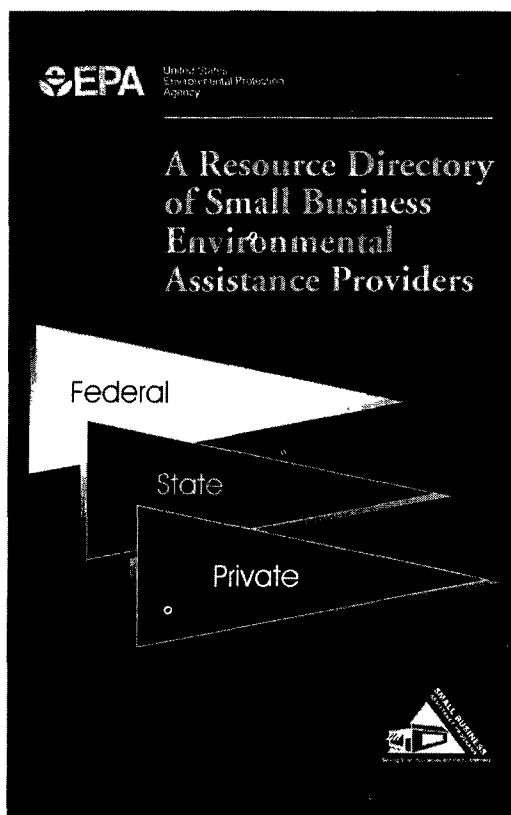
It also provides pertinent overviews of over 16 programs as well as contact information so small businesses can go straight to the source for more information. In addition, the publication includes testimonials on how small businesses have used the programs to their benefit.

Programs that are highlighted in the *Opening Doors* publication include:

- | | |
|--|---|
| ✓ <i>Compliance Assistance Centers</i> | ✓ <i>Compliance Clearinghouse</i> |
| ✓ <i>Design for the Environment</i> | ✓ <i>Energy Star for Small Business</i> |
| ✓ <i>Environmental Results Program</i> | ✓ <i>EPA Dockets</i> |
| ✓ <i>National Environmental Performance Track</i> | ✓ <i>Partners for the Environment</i> |
| ✓ <i>Practical Guide to Environmental Management</i> | ✓ <i>Pollution Prevention Resource Exchange</i> |
| ✓ <i>Plain Language Initiative</i> | ✓ <i>SBREFA</i> |
| ✓ <i>SectorSTAR</i> | ✓ <i>Small Business Compliance Policy</i> |
| ✓ <i>Small Business Innovation Research</i> | ✓ <i>Small Business Ombudsman</i> |
| ✓ <i>TRI-ME Software</i> | |

To order a copy of the new publication, contact the Small Business Division at (202) 260-0490. The publication will also be available for download at www.epa.gov/sbo.

A Resource Directory of Small Business Assistance Providers



The Small Business Division is pleased to announce the release of its latest publication, *"A Resource Directory of Small Business Environmental Assistance Providers."*

As part of EPA's continued effort to support small business, the directory was created to foster a partnership between small business and environmental assistance providers.

The Directory is an easy-to-use reference of the key federal, state and private programs that can address small business environmental compliance, pollution prevention and other related questions and concerns. It provides all of the relevant environmental contacts a small business needs in one convenient location.

We trust that this directory will prove to be a useful resource and would appreciate your feedback to ensure that we are serving the needs of small business.



Due to the overwhelming response to the new publication, additional copies have been ordered. As a result, the SBD is able to accommodate additional requests for bulk orders.

To order a copy of the new publication, contact the Small Business Division at (202) 260-0490.

In addition, if you would like to distribute this free publication to your membership, please specify how many copies you would like to receive.

Sample Page:

Maine		
Small Business Ombudsman (SBO)		
Maine Small Business Ombudsman		
http://www.state.me.us/dep/oia/p2about.htm	(800) 789-9802 (S)	or (207) 287-4152
Small Business Assistance Program (SBAP)		
Maine Small Business Technical Assistance Program		
http://www.state.me.us/dep/oia/smbusta.htm	(800) 789-9802 (S)	or (207) 287-7881
Pollution Prevention (P2)		
Maine Pollution Prevention Program		
http://www.state.me.us/dep/oia/p2home.htm	(207) 287-7100	
Small Business Development Center (SBDC)		
Maine Small Business Development Centers		
http://www.mainesbdc.org	(207) 780-4420	

TOOLS YOU CAN USE

Developed by the Ten State Demonstration Projects
aka "THE MILLION DOLLAR GRANT"

Recipients of USEPA's State Demonstration Project Grants are rolling out polished products faster than your local printer can apply a blanket wash! From advertisements for SBAP services to multi-media compliance manuals, these products have evolved over two years of work and trial. There are materials for auto body finishing and repair shops, the fiber reinforced plastics and boat manufacturing industry, and printers. There are guidelines you can use to build partnerships with other small business service providers and guidelines for holding your own informational workshops. 507 small business assistance ombudsmen and technical assistance providers, working in rural communities, dense urban areas and every type of locale in-between, conducted the projects that produced this body of knowledge. We thank them for all of their work.

Below is a list of additional products and tools you can use. Also, the SBAP's that have created videotapes, characters, or other material that cannot be reproduced in print are seeking ways to make those tools available to everyone. The promotional subcommittee of the 507 Steering Committee may use the video tape produced by New Jersey's SBAP to create a national public service announcement promoting use of the 507 programs.

Finally, the Small Business Division will create a space on the Small Business web-site ([HYPERLINK http://www.smallbiz-enviroweb.org/](http://www.smallbiz-enviroweb.org/)) for you to download these tools and get other information on the demonstration projects. If you have questions on a specific project, please call the contact person listed for that project. For questions on the next steps in publicizing the 507 programs through the cooperative grant agreements, contact La Ronda Bowen @916/457-5636 ([HYPERLINK "mailto:bowenl@pacbell.net"](mailto:bowenl@pacbell.net)).

THE TOOLS

(The following products are available in electronic form and are FREE to the requestor)

California: South Coast Air Quality Management District. The project is testing a multi-state, public-private partnership approach to assist small businesses that operate industrial steam boilers. A local gas company is contributing free, on-site boiler tune-ups as both an inducement to businesses to participate and an opportunity to demonstrate cost savings and pollution reduction benefits. Tools developed are:

- A template for a more-efficient process is under development and will be replicated by three other partner SBAPs in EPA's Region IX

Contact: Larry Kolczak 909/396-3215 ([HYPERLINK mailto:lkolczak@aqmd.gov](mailto:lkolczak@aqmd.gov))

Colorado: Department of Public Health and the Environment. The project has set in place a partnership called "EnviroMentors" that dramatically increases the ability of its staff to provide "one stop shopping" environmental assistance and information. The SBAP has enrolled over 60 partners, including 21 small business development centers (SBDCs), 10 chambers of commerce, 12 state and local pollution prevention organizations, 25 small business and trade organizations and several lending institutions. Tools developed are:

- Fact sheet, including types of organizations willing to serve as partners with the Colorado Department of Public Health and Environment to conduct outreach to small business owners

Contact: Nick Melliadis 303/692-2135 ([HYPERLINK mailto:nick.melliadis@stte.co.us](mailto:nick.melliadis@stte.co.us))

Kansas: State University Pollution Prevention Institute. The SBAP initially tested an approach using retired engineers to provide direct, one-on-one assistance to small businesses in three industries: dry cleaners, automotive repair/auto body and metal finishing. That project proved unsuccessful, but generated a body of experience that other SBAPs considering a similar strategy now have access to. The SBAP has gone on to apply the Grant to launch an assistance campaign aimed at increasing compliance and reducing pollution in Colorado's printing industry. Available tools:

- **Compliance for Printers Manual**
This is a multi-media manual explaining regulatory requirements and identifying pollution-prevention opportunities for the printing industry.
- **Fact sheet on the Kansas project, including a list of project partners.**

Contact: Sherry Davis 785-532-4998 ([HYPERLINK "mailto:sbd@ksu.edu"](mailto:sbd@ksu.edu))

Maine: Department of Environmental Protection The project tested a strategy to reduce pollution by changing business practices in auto repair and auto body shops in a three county area is designed to help them switch to optimum, clean technologies. The goal is to encourage a large proportion of the 500 targeted businesses to switch to "best environmental practices" over a one year period. It systematically engages each business in a phased information program. Tools developed are:

- **Model Facility Guide for Motor Vehicle Repair Facilities**
This multi-media guide for operators of motor vehicle repair facilities. It includes detailed hints on housekeeping, parts washers, floor drains, storage and disposal of waste oil, tires and more, in easy to understand, specific recommendations and a compliance checklist. Terms are all defined, so there is no confusion.
- **Sample contact letters from the assistance provider to business owners/operators**
- **Fact sheet on the Maine project.**

Contact: Julie Churchill 207/287-7881. ([HYPERLINK "mailto:Julie.M.Churchill@state.me.us"](mailto:Julie.M.Churchill@state.me.us))

Minnesota: Pollution Control Agency. The project created partnerships to provide on-going assistance to the entire fiberglass-reinforced plastics (FRP) manufacturing industry in the state. The SBAP undertook a systematic campaign to inform the entire industry segment — between 110 and 120 FRP businesses — about old and new regulations, and opportunities to save costs and reduce pollution by incorporating

new, less-polluting, more efficient materials and processes in their manufacturing operations. A broad-based set of partners was enrolled, including the national industry trade association, a prestigious small business technical assistance program at the University of Minnesota, equipment suppliers, material vendors, SBDCs, and others. A "one-stop shopping" compliance assistance package was distributed and an innovative event, "Demo Days," was produced, attracting over 170 people from across the FRP industry.

- **Tools for the Fiber Reinforced Plastics (FRP) and Boat Manufacturing Industry:**
 - Multi-media self-audit checklists
 - Pollution prevention information and case studies
- **Tools for SBAP's:**
 - A "recipe" for developing a Demonstration Day special event (can be adapted to any industry)
 - Multi-Media compliance assistance information for the FRP industry
 - Newsletters
 - Fact sheet on the Minnesota project.

Contact: Charlie Kennedy 651-297-8615 { [HYPERLINK "mailto:charlie.kennedy@pca.state.mn.us"](mailto:charlie.kennedy@pca.state.mn.us) }

Montana: Department of Environmental Quality. The SBAP surveyed the needs of Montana small businesses for environmental assistance, especially focusing on rural communities in Montana's "High Line" (Northern) region and in Eastern Montana. Both of these areas have historically been difficult to serve because of their distance from urban centers in Central and Western Montana. In Phase Two, the project will apply the results of that assessment to test different marketing methods to stimulate requests for assistance, and to increase business and public awareness about the assistance program. Tools under development are:

- Industry-specific newsletters & compliance calendars
- Program brochure
- Small Business Providers Directory
- Guidebook for Small Business Start-ups
- Industry-specific environmental audit videos

Contact: Bonnie Rouse 406/444-3641 { [HYPERLINK "mailto:brouse@state.mt.us"](mailto:brouse@state.mt.us) }

New Jersey: Department of Environmental Protection. The program increased the capacity to reach small businesses by growing a large network of partner organizations. The strategy was to form working relationships with public and private organizations that have the channels and credibility to reach small businesses with information and assistance. High impact information is kept flowing through these channels. The partnership base, currently at 400, is continuously built up over time and relationships are maintained and nurtured. Tools developed are:

- English & Korean language Dry Cleaning Calendars
- Pollution Prevention Checklists for Printing, Metal Finishing, and Auto Repair industries
- Fact sheet on the New Jersey project

Contact: Ky Asral 609/292-3600 { [HYPERLINK "mailto:kasral@dep.state.nj.us"](mailto:kasral@dep.state.nj.us) }

New York: Environmental Facilities Corp. The project demonstrated how a well-organized information and public relations strategy can move a defined industry sector to compliance. It was a managed campaign to achieve full compliance on gas station vapor recovery controls in a metropolitan area. The goal was to bring 2,700 gas stations into compliance with equipment testing in 3 to 4 years. The strategy was to restructure the testing industry, reach out to the gas stations, employ a high profile public message campaign and manage the dynamics of the sector toward full compliance.

- **Tools for gasoline dispensing and service stations:**
 - Handbook on Stage I vapor recovery
 - Handbook on State II vapor recovery
 - Guidance Manual for vapor recovery testing procedures
 - Fact sheet on New York's Stage II vapor recovery testing requirements
 - A current list of companies that provide vapor recovery tests in New York
- **Tools for gasoline consumers and their children:**
 - Educational module for students, grades 5-8

Contact: Marian Mudar 518/457-9135 { [HYPERLINK "mailto:mudar@nysefc.org"](mailto:mudar@nysefc.org) }

South Carolina: Department of Health and Environmental Control. The program developed outreach methods for an unusually hard to reach business sector. Auto body, auto repair and salvage yards are numerous and represent an environmental threat. These businesses are hard to find and often beyond the reach of the regulatory sector. A unique, intensive series of workshops throughout the state was tested to bring assistance close to the customer. An evaluation effort was conducted to better understand how to reach this sector. Tools developed are:

- Lessons learned fact sheet on the South Carolina project; includes feedback from business owners on how they want to be contacted.

Contact: Phyllis Copeland 803/896-8982 { [HYPERLINK "mailto:copelapt@colmb30.dhec.state.sc.us"](mailto:copelapt@colmb30.dhec.state.sc.us) }

Wyoming: Department of Environmental Quality. The program met the communication challenge of a largely rural state by building an "outreach system" consisting of a sortable database of, potentially, all small businesses in the state, and a one-stop-source of compliance information -- the "Wyoming Small Business Assistance Guide." The database and guide are used by partners to reach small businesses. The system makes possible an on-going series of targeted outreach initiatives to specific businesses on high priority topics. Tools developed are:

- Resource book of small business assistance providers in Wyoming, "Wyoming Small Business Assistance Guide"
- Fact sheet on Wyoming project, including lessons learned

Contact: Dan Clark 307/777-7388. { [HYPERLINK "mailto:dclark@miscc.state.wy.us"](mailto:dclark@miscc.state.wy.us) }

Success Stories

From the 2001 Small Business Assistance Program's Annual Reports

Arizona Department of Environmental Quality created a community assistance program to provide advocacy for all its customers and better service to rural Arizona. Key staff members are placed in the communities they serve, where they can have more frequent, direct contact with rural customers. The program provides four regional office support positions to assist the community liaisons with outreach services, multi-program technical coordination, inquiry response and follow-up, compliance assistance, and associated administrative support.

Arkansas' small business loan program has been very effective in helping gas station owners, pork producers, dairy farmers, cattle ranchers, and radiator shops comply with environmental regulations.

Florida's dry cleaners compliance calendar has been downloaded from their web site and is being modified for use in at least twenty-three other states. The EPA Small Business Ombudsman newsletter also highlighted Florida's success in improving recordkeeping compliance rates for dry cleaners.

Indiana's Childcare 5-Star program, the first of its kind in the nation, has 66 participants. Some Compliance and Technical Assistance Program staff are licensed lead inspectors, who provide free lead risk assessments for childcare facilities and citizens' homes.

A number of **Kansas** businesses implemented Environmental Management Systems because of the highly successful workshops, manuals and assistance provided by the technical assistance program. EMS encourages both environmental compliance and pollution prevention.

Michigan SBAP continues to work with state and local agencies plus industry organizations to provide a unique combination of multimedia outreach. The SBAP presented its first set of multimedia workshops, Regulations 101, that highlighted a new guide for manufacturers on applicable environmental, safety, and health regulations.

Missouri's On-site Assessment Team visits facilities across the state and provides each with a comprehensive, easy to understand report illustrating areas that need improvement and the areas where they are in compliance. The report also includes pollution prevention tips and opportunities.

New Hampshire was awarded a grant to implement the PrintSTEP program at the state level. This grant will allow the state to accelerate multimedia outreach and compliance assistance efforts to this important industry sector.

New York's SBAP was awarded an EPA cooperative agreement for outreach and technical assistance to gasoline stations with Stage II vapor recovery equipment. This multi-year effort will quantify compliance assistance benefits by assisting affected stations comply with a state regulation requiring them to test their equipment every five years.

North Carolina's new web site features a one-stop location for all permitting data and is searchable by keyword, user category, subject, and Division. The database provides 20 attributes for each permit including downloadable application forms, fee pages, regulations, contact information, and specialty information such as emission estimation spreadsheets. Users also can track permit application status for permits in progress across all Divisions.

Oklahoma continues its success with site visits, as technical assistance providers prefer to have face-to-face meetings with clients, tour their facilities, and provide assistance from this vantage point. The state started an innovative program for metal finishers by scheduling facility enforcement inspections (either RCRA or Air) and inviting them to participate in the Compliance Achievement Program. If a facility elected to participate, the inspection was postponed until compliance assistance was provided.

Pennsylvania's Pollution Prevention Assistance Account is a low-interest loan program for small businesses that want to undertake pollution prevention and energy efficiency projects. The Commonwealth also has a Pollution Prevention/Energy Efficiency Site Assessment Grant Program that provides up to \$5,000 to small businesses or \$15,000 to any DEP permit holder that wants to hire a private consultant to conduct a P2/E2 assessment.

Wyoming is continuing work on the Clean Snowmobile Challenge design competition. Sponsored by the Society of American Engineers, this project is challenging the Engineering Departments of worldwide Universities to develop snowmobile designs that are environmentally friendly, both in terms of emissions and noise.

Small Business Environmental Home Page **<http://www.smallbiz-enviroweb.org>**

The Small Business Environmental Home Page (Home Page) continues to benefit the small business community and the Section 507 programs. This Home Page was developed and is being maintained by *Concurrent Technologies Corporation* (Pittsburgh Office) under cooperative agreement funding provided by U.S. EPA SBO. Developed in response to requests from the State small business assistance programs (SBAPs) and the small business community for assistance in centrally distributing and exchanging information about their program activities, the Home Page provides efficient access to EPA, state, and other environmental and pollution prevention information focused on small business.

Check out the new look for the Small Business Environmental Home Page launched in March 2002. For more information about the new design, go to: <http://www.smallbiz-enviroweb.org/newlook.html>.

Look for helpful documents on the EPA SBO List of Publications, which is now on the Small Business Environmental Home Page. The online list, which now has approximately 80% of the documents directly linked so far (350+ documents). Check back often for more live links. Go to: http://www.smallbiz-enviroweb.org/pub_video/epadocs/sbdocs.html.

Also NEW on the Home Page is the SBO/SBAP National Steering Committee web page. Go to the web page for Steering Committee guidelines, list of Steering Committee representatives and alternatives, and meeting/call notes and minutes (to come). Go to: http://www.smallbiz-enviroweb.org/sba/steering_committee.html.

Recently redone is the Site Map for the newly designed Home Page. Go to: http://www.smallbiz-enviroweb.org/site_map.html.

The SBO-SBAP Listserve is up and running with more than 150 members currently subscribed. Share information and ideas with SBAPs, SBOs, small businesses, trade associations, technical assistance programs, and others interested in environmental compliance and pollution prevention issues for the small business community. Go to: http://www.smallbiz-enviroweb.org/SBO-SBAP_Listserve.html.

Find full page SBAP ads, SBAP logos including a state example, and SBAP logos in Spanish on the new Small Business Assistance Program National Logo page. Go to: <http://www.smallbiz-enviroweb.org/sba/sbaplogo.html>.

Note the updated Compliance Advisory Panel (CAP) Contacts and Information section, including both State and National CAP subpages. Go to: http://www.smallbiz-enviroweb.org/sba/programs_cap.html

Other web pages housed on the Home Page include the Mid-Atlantic Region Small Business Assistance web page (<http://www.smallbiz-enviroweb.org/mid-atl/mid-atl.html>) and the National Small Business Financial Assistance Work Group web page (<http://www.smallbiz-enviroweb.org/NSBFAWG/NSBFAWG.html>).

Don't forget to send in updates and use the 5 databases on the Home Page—publications (over 5,100), videos, upcoming events, performance measurement tools and success stories (over 70), and regulatory updates.

Check back often for continuously updated contact information (CAP, trade, EPA, SBAP), state environmental agency and SBAP web sites, SBO Update Newsletters, new information, industry sector and trade association information, small business initiatives and policies, and publications.

Keep sending information on events, news, contacts, publications/factsheets, videos, performance measurement tools and success stories, CAP information, corrected/new links to include on the Home Page, and any comments and suggestions about the Home Page to **Audrey G. Zelanko** (zelanko@smallbiz-enviroweb.org; 412/577-2649).



"State of the Environment Report" and "Environmental Indicators Initiative"



"My goals for the Agency are to make our air cleaner, our water purer and our land better protected. These are the results that we are working hard to achieve. Our progress towards these goals will

be the measure of our success. To know whether we are making progress toward these goals, we need high quality information about the state of the environment. It is also important that we are accountable to the American public and report to them on our progress in reaching the goals we have set for ourselves.

The 'Indicators Initiative' and 'State of the Environment Report' are critical steps in our more comprehensive approach to identifying priorities, focusing resources on areas of greatest concern, and managing our work to achieve measurable results."

-- Christine Todd Whitman, November, 2001

"Indicators" Initiative Launched

On November 13, 2001, EPA Administrator Christine Todd Whitman announced an "Environmental Indicators Initiative" to improve EPA's ability to report on the status of and trends in environmental conditions and their impacts on human health and the nation's natural resources. The Administrator directed the Office of Environmental Information (OEI) and the Office of Research and Development (ORD) to lead this multi-year, Agency-wide Initiative.

EPA's "State of the Environment Report"

Developing and publishing a "State of the Environment Report," using available national level, data and indicators to describe environmental conditions and human health concerns, will be one of the key products of this effort. A draft report will be released in November for broad public discussion. It will:

- describe current environmental conditions and trends using existing data and indicators
- identify data gaps and research needs
- discuss the challenges government and our partners face in filling those gaps and
- be accompanied by supporting technical information.

Five "theme areas" will be covered in the report: *human health; ecological condition; clean air; pure water; and better protected land.* Under "human health," the report will explore trends in diseases, human exposure to environmental pollutants, and diseases thought to be related to environmental pollution.

The nation's "*ecological condition*" will be explored through a look at land use and cover, living resources, pressures on living resources and our sustainable natural resources. To establish a national baseline for "*clean air*," the report will examine outdoor air quality -- its impact on human health and ecosystems, and indoor air quality impacts on human health. The "*pure water*" theme will examine drinking water and food safety, recreational water use, the condition of the nation's water resources and the living resources sustained by them. To ensure "*better protected land*" in the future, the report will explore existing land cover and use, activities that affect the condition of the American landscape, the location and condition of degraded land, and various conservation and management practices. The report will also include specific information on cropping practices, Integrated Pesticide Management, waste management, emergency response and preparedness, and recycling.

Outreach

During May and June, EPA will reach out to stakeholders about the "State of the Environment Report" -- our decisions, our schedule and process for drafting the report. Our goal is to ensure that there will be robust discussion and debate generated by the "State of the Environment Report" later this year.

Working with Our Partners and Stakeholders Is Key to Our Success

Through our outreach efforts, EPA is inviting governmental entities, non-governmental organizations, and the public to be our partners in the longer-term "Environmental Indicators Initiative." Data from other federal agencies and departments, EPA regional offices, state and local governments and tribes (and other sources) will be vital to sustaining a long-term effort to improve the way we develop indicators that help us measure and report on environmental conditions.

For further information, please contact:

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or

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PRESIDENT BUSH ANNOUNCES CLEAR SKIES & GLOBAL CLIMATE CHANGE INITIATIVES

TODAY'S PRESIDENTIAL ACTION

Today the President will unveil the most aggressive initiative in American history to cut power plant emissions, as well as a bold new strategy for addressing global climate change.

- ☑ **The Clear Skies Initiative.** Cuts power plant emissions of the three worst air pollutants – nitrogen oxides, sulfur dioxide, and mercury – by 70 percent. The initiative will improve air quality using a proven, market-based approach.
- ☑ **Global Climate Change.** Commits America to an aggressive strategy to cut greenhouse gas intensity by 18% over the next 10 years. The initiative also supports vital climate change research and ensures that America's workers and citizens of the developing world are not unfairly penalized.

THE CLEAR SKIES INITIATIVE

Dramatically & Steadily Cuts Power Plant Emissions of Three of the Worst Air Pollutants:

- ☑ Cuts sulfur dioxide (SO₂) emissions by 73 percent, from current emissions of 11 million tons to a cap of 4.5 million tons in 2010, and 3 million tons in 2018.
- ☑ Cuts emissions of nitrogen oxides (NO_x) by 67 percent, from current emissions of 5 million tons to a cap of 2.1 million tons in 2008, and to 1.7 million tons in 2018.
- ☑ Cuts mercury emissions by 69 percent – the first-ever national cap on mercury emissions. Emissions will be cut from current emissions of 48 tons to a cap of 26 tons in 2010, and 15 tons in 2018.

Uses a Proven Market-Based Approach:

- ☑ Protects Americans from respiratory and cardiovascular diseases by dramatically reducing smog, acid rain, fine particles, regional haze, nitrogen and mercury deposition.
- ☑ Protects our wildlife, habitats and ecosystem health.
- ☑ Cuts pollution further, faster, cheaper, and with more certainty, using a "cap-and-trade" program, replacing a cycle of endless litigation with rapid and certain improvements in air quality.
- ☑ Saves as much as \$1 billion annually in compliance costs that are passed along to American consumers, and improves air quality and protects the reliability and affordability of electricity.
- ☑ Uses the model of our most successful clean air law – the 1990 Clean Air Act's acid rain program – and encourages use of new and cleaner pollution control technologies.

A NEW APPROACH ON GLOBAL CLIMATE CHANGE

The President has committed America to an aggressive new strategy to cut greenhouse gas intensity by 18% over the next 10 years. The initiative also supports vital climate change research and ensures that America's workers and citizens of the developing world are not unfairly penalized. The President's initiative puts America on a path to slow the growth of greenhouse gas emissions, and – as the science justifies – to stop, and then reverse that growth.

- ☒ **Cutting Greenhouse Gas Intensity by 18 Percent Over the Next 10 Years.** Greenhouse gas intensity is the ratio of greenhouse gas emissions to economic output. The President's goal seeks to lower our rate of emissions from an estimated 183 metric tons per million dollars of GDP in 2002, to 151 metric tons per million dollars of GDP in 2012. By significantly slowing the growth of greenhouse gases, this policy will put America on a path toward stabilizing GHG concentration in the atmosphere in the long run, while sustaining the economic growth needed to finance our investments in a new, cleaner energy structure. America is already improving its GHG intensity; new policies and programs will accelerate that progress, avoiding more than 500 million metric tons of GHG emissions over the next ten years – the equivalent of taking nearly one out of every three cars off the road. This goal is comparable to the average progress that nations participating in the Kyoto Protocol are required to achieve.
- ☒ **A New Tool to Measure and Credit Emissions Reductions.** The U.S. will improve its GHG registry to enhance measurement accuracy, reliability and verifiability, working with and taking into account emerging domestic and international approaches. These improvements will give businesses incentives to invest in new, cleaner technology and voluntarily reduce greenhouse gas emissions.
- ☒ **Protect and Provide Transferable Credit for Emission Reductions.** The President will direct the Secretary of Energy to recommend reforms to: (1) ensure that businesses that register voluntary reductions are not penalized under a future climate policy, and (2) give credit to companies that can show real emissions reductions.
- ☒ **Reviewing Progress on Climate Change and Taking Additional Action if Necessary in 2012,** which may include a broad, market-based program, as well as additional initiatives to accelerate technology. If, in 2012, we find that we are not on track toward meeting our goal, and sound science justifies further policy action, the United States will respond with additional measures that may include a broad, market-based program as well as additional incentives and voluntary measures designed to accelerate technology development and deployment.
- ☒ **Unprecedented Funding for Climate Change-Related Programs:** The President's budget in FY 2003 provides \$4.5 billion for global climate change-related activities – a \$700 million increase. This includes the first year of funding for a five-year, \$4.6 billion commitment to tax credits for renewable energy sources.
- ☒ **A Comprehensive Range of New and Expanded Domestic and International Policies,** including:

 - Expanded research and development of climate-related science and technology
 - Expanded use of renewable energy
 - Business sector challenges
 - Improvements in the transportation sector
 - Incentives for sequestration
 - Enhanced support for climate observation and mitigation in the developing world.
- ☒ **A Better Alternative to the Kyoto Protocol.** Rather than making drastic reductions in greenhouse gas emissions that would put millions of Americans out of work and undermine our ability to make long-term investments in clean energy – as the Kyoto Protocol would have required – the President's growth-based approach will accelerate the development of new technologies and encourage partnerships on climate change issues with the developing world.

FOR MORE INFORMATION ON THE PRESIDENT'S INITIATIVES PLEASE VISIT WWW.WHITEHOUSE.GOV

STATUS OF HIGH VISIBILITY ACTIONS

OBTAINING ADDITIONAL INFORMATION FOR SMALL BUSINESS

Some articles in this newsletter cite certain reference publications by Item Number that provide additional information on the topic. These publications can be ordered by completing the Publication Order form on page 60. In addition, the Ombudsman's Office maintains an inventory of over 300 EPA and related publications containing useful environmental information for small business. A complete listing of these publications can be obtained by calling the Ombudsman's Office at **1-800-368-5888 or 202-260-1211**.

Clean Air Act (CAA)

Implementation Tool Development Plan, Update

In the near future, EPA's Office of Air Quality Planning and Standards (OAQPS) will be publishing ten new Maximum Achievable Control Technology (MACT) standards that regulate hazardous air pollutant emissions from various surface coating operations. To help industry and regulators prepare for the implementation phase that comes after these new rules are promulgated (finalized), EPA is in the process of determining what types of implementation tools are needed for each new coating MACT. You can keep abreast of what types of implementation activities we (EPA) have planned for these surface coating rules by periodically checking the Implementation Tool Development Plan. Implementation Plans will be developed for each new coating MACT and will tell you: (1) what we're planning for that rule; (2) who we're partnering with to develop tools; and (3) when we expect tools to be available for use. To find out more about our tool development efforts and for website addresses for these new coating rules, please see our brochure entitled "Implementation Activities for the New Surface coating MACTs - An Overview and Partnership Opportunities" at <http://www.epa.gov/ttn/atw/powc/partner.pdf>.

If you have questions regarding implementation activities under this effort, please feel free to contact **Ingrid Ward**, USEPA, 919-541-0300 or ward.ingrid@epa.gov.

Final Integrated Urban Air Toxics Strategy

This Strategy is a framework for addressing air toxics in urban areas. Although existing programs have already achieved substantial emission reductions, more needs to be done to reduce toxics air pollutants, particularly in the urban areas. The Strategy outlines actions to reduce emissions of air toxics and assessment activities to improve EPA's understanding of the health and environmental risks posed by air toxics in urban areas. The Strategy includes a list of 33 air toxics that pose the greatest potential health threat in urban areas, and also provides a list of area sources responsible for a substantial portion of the emissions of these air toxics. For more information about the Strategy, visit EPA's web site at: www.epa.gov/ttn/uatw/112k/urbanpg.html or call EPA's Office of Air Quality, Planning and Standards at 919-541-2798.

Amendment And Changes to The Operating Permit Program Final Rule

In 1992, EPA issued regulations providing for the establishment of comprehensive state air quality permitting systems consistent with the requirements of Title V of the Clean Air Act. The Rule allows States to issue a general permit covering numerous similar sources, each of which need only submit information covering its eligibility for the general permit. The Rule was proposed to be revised in 1994, to provide for more flexibility in the revision of permits: more flexibility was proposed in 1995. Neither of these proposed rule changes have been promulgated

In addition, six categories of non-major sources subject to MACT standards have been deferred from title V permitting. Currently, only two categories of non-major sources subject to MACT standards are required to obtain Title V permits, these are hazardous waste combustors (HWC's) and portland cement plants., see our Item I-25.

Further Update on Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Supreme Court Decision

Summary of U.S. Supreme Court Decision on the EPA's Ozone and Particulate Matter NAAQS

Whitman v. American Trucking Associations
U.S. Supreme Court, Nos. 99-1257, 99-1426
February 27, 2001

Highlights of the Supreme Court's Decision

- **Constitutionality:** The Supreme Court unanimously upheld the constitutionality of the 1970 Clean Air Act provision that authorizes EPA to set national ambient air quality standards (NAAQS) to protect public health and welfare.
- In so doing, the Supreme Court reversed a decision by the D.C. Circuit Court that could have called into question laws and regulations that are the basis for many of our nation's programs for protecting public health and safety.
- **Cost:** The Supreme Court also unanimously affirmed that the Clean Air Act requires EPA to set NAAQS at levels necessary to protect public health and welfare, without considering the economic costs of implementing the standards, stating that the law "unambiguously bars cost considerations from the [NAAQS-setting] process."
- This ruling affirmed the D.C. Circuit Court's decision, and was consistent with the longstanding interpretations of the Clean Air Act by EPA and the D.C. Circuit.
- The Supreme Court noted that EPA and the States take costs into account in implementing the NAAQS.
- **Authority to implement ozone standard:** The Supreme Court rejected arguments that EPA cannot require States to meet a revised ozone standard that is more protective than the 1-hour ozone standard currently being implemented.
- The Supreme Court determined that while EPA has authority to implement a revised ozone standard, EPA must reconsider its implementation plan for moving from the 1-hour standard to the revised standard, and instructed EPA to develop an implementation plan consistent with the Court's opinion.

Implications for EPA's Implementation of the New Standard

- While the case was pending before the Supreme Court, the ozone and particulate matter standards remained in effect as a legal matter, because the D.C. Circuit had not vacated the standards. The Supreme Court decision does not change this.

- **Ozone:** EPA is reviewing the results of the litigation to determine the approach and schedule for moving forward with implementing the ozone standard, and will be conferring with States and other interested parties.
- **Particulate Matter:** The litigation has not yet affected EPA or State activities related to these standards, since EPA cannot start implementing the standards until EPA and the States collect three years of monitoring data on "fine particles" to determine which areas are not attaining the standards. In most cases, areas would not be designated "attainment" or "nonattainment" for the NAAQS for fine particles until 2004-5.

Stratospheric Ozone Protection Rules

A final rule to reduce consumption of Methyl Bromide, a commonly used fumigant and pesticide, by 50% of historical 1991 use, was issued in 2001, Item I-15, (November 28, 2000, 65 FR 70795). A 70% baseline reduction is scheduled to occur in 2003 and a complete phaseout of Methyl Bromide is scheduled to take effect on January 1, 2005, Item I-15. An interim final rule to create an exemption which would allow production and/or import of Methyl Bromide for quarantine and preshipment uses was published, Item I-15 (July 19, 2001, 66 FR 37752). EPA is engaging stakeholders from industry and from State government at this time to inform them of the critical use exemption process which would allow production and/or import of Methyl Bromide for critical end uses in pre-plant and post-harvest applications. EPA will issue a notice requesting application for exemption to the 2005 methyl bromide phaseout for critical uses, Item I-15. HCFCs are ozone depleting substances that are scheduled to be completely phased out by 2030, the first of which, HCFC-141b, is scheduled to be phased out beginning January 1, 2003. EPA issued a proposal to allocate allowances to HCFC producers and importers to limit and begin the phaseout process for HCFCs (July 20, 2001, 66 FR 38064), Item I-. In finalizing the proposed allowance allocations for HCFC in 2002, EPA will issue a supplemental proposal seeking comments regarding an exemption for small business sectors needing relief from the 141b phaseout. EPA also evaluates alternatives to ozone depleting substances for use in refrigerants, air conditioning, foam manufacture, solvents, and fire extinguishing applications and either approved or banned them based upon their environmental, health, and safety properties through the Significant New Alternatives Program. EPA will continue to review alternatives as they are developed. The last update was published 5/23/01 66FR 28379 Item I-19.

CAA Incinerator Rules

The Agency issued final rules on September 15, 1997, which apply to medical waste incinerators (MWI). The incinerators are used to burn hospital waste and/or medical/infectious waste. The final rules cover MWI located at hospitals, other health care type facilities, and commercial waste disposal facilities which burn those types of wastes. The final rules cover both new and existing MWI. Those built before June 20, 1996 are considered existing MWI, and those built after that date are considered new MWI. New MWI are required to meet the requirements upon start-up. Existing MWI are required to meet the requirements by September 15, 2002. Small existing MWI, located in rural areas, are required to meet less stringent requirements.

The Agency issued final rules on December 6, 2000, which apply to small municipal waste combustors (MWC). Those are incinerators which have a capacity to burn more than 35 tons per day of municipal waste, but less than 250 tons per day. [Final rules for MWC with a capacity to burn 250 tons per day or more of municipal waste were issued in December 1995.] The final rules cover both new and existing small MWC. Small MWC built before August 30, 1999 are considered existing, and those built after that date are considered new. New small

MWC must meet the requirements upon start-up, and existing small MWC must meet the requirements by August 30, 2004.

The EPA issued final rules on December 1, 2000, which apply to commercial and industrial solid waste incinerators (CISWI). Those final rules apply to incinerators located at commercial or industrial facilities which burn solid waste without energy recovery. The final rules cover both new and existing CISWI. Commercial and Industrial Solid Waste Incinerators built before November 30, 1999 are considered existing, and those built after that date are considered new. New CISWI must meet the requirements upon start-up, and existing CISWI must meet the requirements by November 30, 2004.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Rules Update

The Emissions Standards Division of the Office of Air Quality Planning and Standards is in the process of completing NESHAP for 170 source categories, many of which contain small businesses. These standards are also called Maximum Achievable Control Technology, or MACT, standards. Standards for 103 source categories are final. Standards have been proposed for 43 of the remaining 94 source categories. Eleven source categories on the original list have been delisted.

The EPA website <http://www.epa.gov/ttn/atw/eparules.html> lists information on the rule applicability and rule requirements. Implementation materials are also available for some rules.

One key date is the Section 112(j) "hammer date" of May 15, 2002. Section 112(j) applies to major sources in categories and subcategories on the EPA's source category list for which EPA has not promulgated standards by May 15, 2002. Major sources are those that emit from the entire contiguous facility 10 tons or more of any single HAP or 25 tons or more of any combination of HAP.

Major sources subject to section 112(j) regulations (40 CFR 63, subpart B) must submit a title V permit application to its permitting authority by May 15, 2002 to incorporate case-by-case MACT EPA promulgated Part 1 amendments to the 112(j) rule on April 5, 2002. Sources must submit a Part 1 application on May 15, 2002, followed by a Part 2 application by May 15, 2004. The amendments discuss in more detail what is required to be in the permit application.

Affected sources should review 40 CFR 63, subpart 63.50 through 63.56 for further information. For more information on the amendments, see the April 5, 2002, Federal Register, page 16582. Additional information is also on EPA's Air Toxics Website at <http://www.epa.gov/ttn/atw/112j/112jaypg.html>.

Hazardous Air Pollutant Standards for Several Categories of Industrial Combustion Sources

The Agency is developing rules under Section 112 of the Clean Air Act (CAA) to limit emissions of hazardous air pollutants from several industrial combustion sources. This may include rules for boilers, process heaters, stationary combustion turbines, and/or stationary reciprocating internal combustion engines. These sources are used primarily for energy generation in a wide variety of industries and they burn a variety of fuels (e.g., wood, oil, coal, natural gas). The rules could affect thousands of sources nationwide and have significant environmental, health, and cost impacts.

Perchloroethylene (PCE) Health Effect Assessment

EPA's National Center for Environmental Assessment in the Office of Research and Development (ORD) has started a health assessment to update the Agency's data base on possible health hazards associated with chronic exposure to perchloroethylene. The assessment

will characterize hazard and dose-response for cancer and non-cancer toxicity, in addition to conclusions about cancer hazards, if any, a reference concentration (RfC) for inhalation exposure and a reference dose (RfD) for ingestion exposure will be recommended. The assessment began in the Spring of 1999, and completion is expected in late calendar year 2002. The Agency's plan is to develop the assessment, with a full peer and public review process, and then provide a data file for insertion into the EPA Integrated Risk Information System (IRIS) which records the Agency-wide viewpoint on health assessment issues.

Public Access to Off-Site Consequences Analysis (OCA) Data

The law exempts OCA data from disclosure under the Freedom of Information Act (FOIA) and limits its public availability for at least one year. By August 5, 2000, the federal government was to (1) assess the risks of Internet posting of OCA data and the benefits of public access to that data, and (2) based on that assessment, EPA did publish proposed regulations governing public access to OCA data in the Federal Register on April 22, 2000. A final Rule is now in process. These items are also in Item I-30

Clean Water Act (CWA)

Effluent Guidelines Program

Effluent guidelines are regulations for industrial discharges to surface waters and to publicly-owned treatment systems. Earlier this year, EPA's Office of Water completed effluent guidelines for iron and steel. We continue work on effluent guidelines for the following industries: metal products and machinery, concentrated animal feeding operations, construction and development, meat and poultry products, and aquatic animal production (often called aquaculture). EPA would like to report on important progress on several of these effluent guidelines.

In addition, EPA published the Proposed Effluent Guidelines Program Plan for 2002/2003 in the Federal Register in June 2002. The proposed plan provides background information on clean water industrial regulations, describes the role these regulations play in improving water quality, and solicits comment on the process for selecting future effluent guidelines. EPA encourages small businesses to review and provide comments on the proposed effluent guidelines plan.

You can check for updates on all of the effluent guidelines on the Internet at <http://www.epa.gov/waterscience/guide/>.

Metal Products and Machinery

The public notice for the proposed effluent guidelines for the Metal Products and Machinery (MP&M) industry appeared in the Federal Register on January 3, 2001, and the public comment period closed on July 2, 2001. Prior to issuing the proposed rule, EPA convened a Small Business Advocacy Review Panel. The proposal incorporated all of the Panel's recommendations such as reduced monitoring, best management practices (BMPs), pollution prevention alternatives, and no regulation options for low flow facilities.

EPA received more than 1,000 comments on the proposed rule from State and local regulatory authorities, environmental groups, individual industrial facilities and industry groups, and private citizens. Many of the commenters stated that the proposal overestimated pollutant reductions and environmental benefits and underestimated costs and impacts to the regulated community.

On June 5, 2002, EPA published a Notice of Data Availability which presents a summary of data received in proposal comments and additional data collected by EPA and an explanation of how EPA may use these data in developing the final MP&M regulations. In addition, the Notice discusses many of the proposal comments and how this information may affect the underlying methodology and data that EPA uses to estimate the costs, pollutant reductions, environmental benefits, impacts, and regulatory options considered for the final rule. EPA held a public meeting on June 7, 2002 to discuss the notice; the meeting materials are posted on the website. EPA will accept comments on the Notice until July 22, 2002. EPA encourages all facilities that may be affected by this regulation, especially small businesses, to review and comment on this notice. The rule is scheduled for final action in December 2002.

Iron and Steel

On April 30, 2002, the Administrator signed the final rulemaking package to revise effluent guidelines for the iron and steel industry. The final rule is expected to be published in the Federal Register in June, 2002. EPA's analysis of the final rule included estimates of the number of small businesses that might be affected by the revised regulation and also analyzed the potential impacts to those businesses. The Administrator certified that the rule would not have a significant economic impact on a substantial number of small entities.

Construction and Development

EPA is proposing three options that relate to the discharge of pollutants from construction sites. The notice, supporting documents, and related information are available on the C&D website at <http://www.epa.gov/waterscience/guide/construction>. The proposal includes options that work in conjunction with existing NPDES storm water regulations. One option is an effluent guideline that specifies design criteria for construction site runoff controls and includes requirements for site inspection and certification that controls have been properly installed. Another option includes site inspections and certification requirements only. The third option is a "no regulation" option that relies on the existing regulations.

Prior to issuing the proposed rule, EPA convened a Small Business Advocacy Review Panel. The recommendations from the Panel played a significant role in many aspects of the proposed rule. The Panel recommended that EPA, during the development of the proposed effluent guidelines, evaluate the adequacy of the current NPDES storm water program. The Panel also recommended that EPA proceed with the development of proposed effluent guidelines, but that in doing so, keep open the option of ultimately declining to promulgate final guidelines until the effectiveness of the storm water permit regulations, without national effluent guidelines, can be more fully evaluated. The Panel further recommended the inclusion in the proposal of regulatory language that would provide a mechanism by which construction sites could meet the effluent guidelines requirement by complying with existing State and/or local regulations that provide a comparable level of environmental protection. EPA considered the Panel's recommendations and generally included the recommendations or their equivalents in the proposal.

EPA is conducting public information meetings on the proposed rule. The first three meetings are listed in the proposed rule, and are scheduled for San Francisco on July 9, Dallas on July 23, and Chicago on July 30. Additional meetings are planned for Atlanta and Washington, DC, and these meetings will be announced in a subsequent Federal Register notice and on the C&D website.

Concentrated Aquatic Animal Production

EPA is scheduled to issue proposed effluent guidelines for the Concentrated Aquatic Animal Production Category in August 2002. The Agency convened a Small Business Advocacy Review Panel in January of 2002 and solicited feedback from 22 small entity representatives on various aspects of the proposal, including the scope of the proposed rule in terms of species to be covered and sizes of facilities to be covered. The proposed rule will apply to commercial, academic, government, and other non-profit organizations which meet the definition of a Concentrated Aquatic Animal Production facility (as already set forth in the Code of Federal Regulations). The proposed regulation will focus on the discharges of solids as a means of addressing concerns about conventional and nutrient pollutants. The proposed regulation will also address concerns related to chemicals and other pollutants entering the Nation's waters from Concentrated Aquatic Animal Production.

Meat and Poultry Products

The proposed effluent guidelines for Meat and Poultry Products cover process water generated as a result of meat and poultry slaughtering, further processing, and rendering activities. In general, the proposal focuses on the larger facilities in the industry. EPA does not expect the proposed regulations to affect many small businesses. Specifically, EPA proposed to revise new source standards and Best Practicable Technology (BPT) limits, and to establish Best Available Technology (BAT) limits for the meat and rendering facilities that exceed specific production thresholds. EPA also proposed to establish new source standards and limits based on the application of BPT, BAT and Best Control Technology (BCT) technologies for poultry slaughtering and processing facilities that exceed specific production thresholds. EPA did not propose to establish pretreatment standards for any Meat and Poultry Products facilities, although the proposal solicits data and information on interferences in Publicly Owned Treatment Works (POTW) operations caused by Meat and Poultry Products discharges. By proposing to not establish pretreatment standards, and to establish or revise requirements for just the larger direct discharging facilities, the regulations are not expected to affect many small businesses. In the preamble to the proposed rule, the Administrator certified that the proposed rule would not have a significant economic impact on a substantial number of small entities. Accordingly, EPA did not convene a Small Business Advocacy Review Panel for the Meat and Poultry Products effluent guideline. EPA provided an analysis of small businesses that might be affected by the proposal and solicited comment on this analysis in the preamble to the proposed rule, which was published in the Federal Register on February 25, 2002. The comment period closed on June 25, 2002.

Concentrated Animal Feeding Operations

The proposed rule for Concentrated Animal Feeding Operations (CAFOs, and referred to as "feedlots" in previous editions of this newsletter) appeared in the Federal Register on January 12, 2001. The comment period for the proposed rule closed on July 30, 2001. EPA published a Notice of Data Availability on November 21, 2001, and the comment period for the new data closed on January 15, 2002. EPA is planning to publish another Notice of Data Availability and solicit comments during the summer on a limited number of very specific topics. The rule is scheduled for final action by December 15, 2002.

Prior to issuing the proposed rule, EPA convened a Small Business Advocacy Review Panel. The recommendations from the Panel played a significant role in many aspects of the proposed rules. The following samples are meant to illustrate the breadth of issues that EPA addressed

in the proposal as a direct response to recommendations from the Panel. Early in the Panel's deliberations, they reviewed and commented on EPA's methodology for defining small business and estimating the number of small entities covered by the proposal. EPA responded with alternative approaches and additional analysis. On the subject of regulatory alternatives to minimize impacts on small businesses, the proposal incorporates several provisions designed for regulatory relief, ranging from changes to the applicability thresholds to flexibility in land application requirements to limiting recordkeeping. The Panel also recommended that EPA evaluate and refine cost and benefit models, and the record for the proposal incorporates extensive analyses on both topics. There are thorough discussions in the preamble to the proposed rule and in the record to document the Panel's recommendations and EPA's response.

The November 2001 Notice presents new data and information submitted to EPA during the public comment period, including new data received from industry groups, the general public, and the U.S. Department of Agriculture (USDA). EPA is considering using this new information to refine the cost and economic impact model, benefits analysis, proposed permit requirements, and proposed technology requirements. The Notice also highlights recent changes in SBA's definition of small business for the livestock and poultry sectors. These changes raised the size standards used to define small businesses in the hog, dairy, broiler, and turkey sectors. SBA's size standards for these sectors were raised from \$0.5 million to \$0.75 million in average annual receipts. Size standards in the beef feedlot and egg laying sectors were not changed. These changes resulted in an increase in EPA's estimate of the number of small businesses that are potentially defined as CAFOs and subject to the proposed requirements. As a result of this change in SBA's small business definition, EPA's estimate of the number of small businesses affected by the proposed regulations would increase from 11,000 to 15,000 small businesses, as reported by EPA for the proposed regulations, to roughly 19,000 to 25,000 small businesses. EPA solicited comment on these preliminary estimates, as part of its November Notice.

Cooling Water Intake Structures

Section 316(b) of the Clean Water Act directs EPA to assure that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact. Cooling water intake structures are used across a range of industrial categories, including steam electric power generation, pulp and paper manufacturing, chemical manufacturing, petroleum refining, and metals manufacturing.

On December 18, 2001, EPA published final regulations to protect fish and other aquatic organisms from being killed or injured by cooling water intake structures at new facilities. The Administrator certified that the rule would not have a significant economic impact on a substantial number of small entities. On April 9, 2002, EPA published proposed regulations for cooling water intake structures at existing electric power generating plants that use 50 million or more gallons of cooling water a day. EPA concluded that the proposed rule would not have a significant economic impact on a substantial number of small entities. EPA must take final action on the proposal by August 28, 2003.

By June 15, 2003, EPA must propose regulations for existing manufacturing facilities and for existing electric power generating plants that use less than 50 million gallons of cooling water a day. This fall, EPA anticipates convening a Small Business Advocacy Review Panel for the June 2003 proposed rule.

You can check for updates on the Cooling Water Intake regulations on the Internet at <http://www.epa.gov/waterscience/316b/>

Safe Drinking Water Act (SDWA)

Long Term 1 Enhanced Surface Water Treatment Rule Update

The EPA finalized the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) on January 14, 2002 (*Federal Register*, vol. 67, no. 9, pages 1812-1844). The purposes of the LT1ESWTR are to improve control of microbial pathogens, specifically the protozoan *Cryptosporidium*, in drinking water and address risk trade-offs with disinfection byproducts. Under the LT1ESWTR, finished water reservoirs must be covered if construction begins on or after March 15, 2002. The rule also ensures that microbial protection is not jeopardized if systems make changes to comply with the requirements of the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1 DBPR). This is accomplished by requiring systems to evaluate their disinfection practices through a process called disinfection profiling, beginning either July 1, 2003, or January 1, 2004 (based on system size). Finally, systems must meet strengthened filtration performance standards by January 2005. The LT1ESWTR applies to public water systems that use surface water or ground water under the direct influence of surface water and serve fewer than 10,000 persons. Training sessions on all of the surface water rules, including the LT1ESWTR, are underway and are open to States, Tribes, Technical Assistance Providers, and Systems (contact the Safe Drinking Water Hotline at 1-800-426-4791 to register). The full text of the LT1ESWTR as well as fact sheets and guidance materials may be found at www.epa.gov/safewater/mdbp/lt1eswtr.html.

Filter Backwash Recycle Rule Update

The EPA published the Filter Backwash Recycling Rule (FBRR) on June 8, 2001 (*National Primary Drinking Water Regulations: Filter Backwash Recycling Rule - Final Rule*) in the *Federal Register* (vol. 66, no. 111, pages 31085-31105). The purpose of the FBRR is to further protect public health by requiring public water systems (PWSs), where needed, to institute changes to the return of recycle flows to a plant's treatment process that may otherwise compromise microbial control. Systems are required to submit notification of their recycle practices to the State by December 8, 2003. In addition, systems must comply with an approved recycle return location as well as maintain additional recycle information on file for State review by June 8, 2004. Training sessions on all of the surface water rules, including the FBRR, are underway and are open to States, Tribes, Technical Assistance Providers, and Systems (contact the Safe Drinking Water Hotline at 1-800-426-4791 to register). The full text of the FBRR as well as several fact sheets and guidance materials may be found at www.epa.gov/safewater/filterbackwash.html.

Ground Water Rule Update

On May 10, 2000, EPA proposed rules to protect consumers of public drinking water supplies, which draw water from wells, springs or other ground water sources, from microbial contaminants (*Federal Register*, vol. 65, no. 91, pages 30194-30274). The EPA is required under the Safe Drinking Water Act to promulgate the Ground Water Rule (GWR) to require disinfection, as necessary, for drinking water systems using ground water. Drinking water systems using surface water have been required to disinfect since 1989. The GWR establishes a multi-barrier strategy designed to identify high-risk water systems, and will require corrective action (which may include; disinfection, elimination of contamination sources, correcting significant deficiencies, or obtaining a

new source) only where contamination or significant deficiencies have been identified. The Ground Water Rule is expected to be promulgated in late 2002.

Long Term 1 Enhanced Surface Water Treatment Rule

EPA finalized the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) on January 14th, 2002 (vol. 67, no. 9, pages 1811-1844). The purposes of the LT1ESWTR are to improve control of microbial pathogens, specifically the protozoan *Cryptosporidium*, in drinking water, and address risk trade-offs with disinfection byproducts. The rule will require certain public water systems to meet strengthened filtration requirements. It will also require systems to calculate levels of microbial inactivation to ensure that microbial protection is not jeopardized if systems make changes to comply with requirements of the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1-DBPR). This rule, which addresses public water systems that use surface water or ground water under the direct influence of surface water serving fewer than 10,000 persons, builds upon the framework established for larger systems in the Interim Enhanced Surface Water Treatment Rule (IESWTR).

Stage 2 Disinfectants/Disinfection Byproducts Rule

The EPA plans to propose a Stage 2 Disinfectants/Disinfection Byproducts Rule (DBPR) in late 2002. [Note: Most small systems that serve fewer than 500 people and that are in compliance with the Stage 1 DBPR at the point of maximum residence time most likely will not be impacted by the rule. Systems that serve between 500 and 10,000 people may have an additional monitoring point, in addition to the Stage 1 requirements. If a small system is a "consecutive system," it must comply with the rule on the same schedule as the system with the earliest compliance date in the combined distribution system.] The intent of the proposed rule is to reduce the variability of exposure to disinfection byproducts (DBPs) for people served by different points in the distribution systems of public water supplies. EPA believes that this decreased exposure will result in reduced risk from reproductive and developmental health effects and cancer. EPA is required under the Safe Drinking Water Act to promulgate the rule as the second part of a staged set of regulations addressing DBPs. Consistent with Safe Drinking Water Act requirements for risk balancing, EPA will propose and finalize the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) at the same time as the Stage 2 DBPR, to ensure parallel protection from microbial and DBP risks.

Long Term 2 Enhanced Surface Water Treatment Rule

The EPA is currently developing a proposal for the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR). The purpose of the LT2ESWTR is to improve upon the microbial protections provided by the Interim Enhanced Surface Water Treatment Rule and Long Term 1 Enhanced Surface Water Treatment Rule, specifically for systems with elevated vulnerability to the pathogen *Cryptosporidium*. The LT2ESWTR incorporates system specific treatment requirements based on a "Microbial Framework" approach. Under LT2ESWTR, large systems will monitor for *Cryptosporidium* in their source water for two years. Systems whose source water has *Cryptosporidium* concentrations that exceed specified levels will be required to provide additional treatment for this pathogen. Systems will choose technologies to comply with additional treatment requirements from a

“toolbox” of options. Small systems will have the same treatment requirements as large systems, but will have a reduced monitoring burden. Small systems will be allowed to monitor for an indicator organism, like *E.coli*, and only systems whose indicator concentrations exceed specified levels will be required to monitor for *Cryptosporidium*. The compliance schedule for small systems will be two years later than that for large systems in order to accommodate the indicator monitoring.

Six-Year Review - Publication of Notice with Preliminary Decisions

Section 1412(b)(9) of the Safe Drinking Water Act (SDWA), as amended in 1996, requires the Agency to conduct a periodic review of existing National Primary Drinking Water Regulations (NPDWRs). On April 17, 2002, the Agency announced in the *Federal Register* its preliminary revise/not revise decisions for 68 chemical NPDWRs and the Total Coliform Rule (TCR). The *Federal Register* also described the protocol that the Agency used to perform the review. Based on its review, the Agency preliminarily decided that the 68 chemical NPDWRs remain appropriate at the time and that the TCR should be revised. The Agency requested public comments on these preliminary decisions and the protocol. The 60-day public comment period ended on June 17, 2002.

Contaminant Candidate List - Publication of Notice of Preliminary Regulatory Determinations

The Safe Drinking Water Act (SDWA), as amended in 1996, directs EPA to publish a list of contaminants (referred to as the CCL) to assist in priority-setting efforts. SDWA also directs the Agency to determine by August 2001 whether or not to regulate at least five contaminants from the current CCL with a National Primary Drinking Water Regulation (NPDWR). EPA developed an approach, or protocol to the Agency's 1998 CCL. The review focused on 8 chemical and 1 microbiological contaminants (aldrin, dieldrin, hexachlorobutadiene, manganese, metribuzin, naphthalene, sodium, sulfate, and *Acanthamoeba*). EPA's preliminary determination is that no regulatory action is appropriate or necessary for the 9 contaminants. EPA will make final determinations on these contaminants after a 60-day comment period, Science Advisory Board (SAB) review, and a public meeting. Comments on the CCL preliminary regulatory determinations must be submitted in writing to the Agency's Water Docket (W-01-03 Comments Clerk) by August 2, 2002, and a public meeting is scheduled to take place July 16, 2002 in Washington, D.C.

Consumer Confidence Reports

All community water systems are required to provide annual drinking water quality reports to their customers. Systems must deliver these reports to their customers by July 1 annually. These short reports provide consumers of public drinking water supplies with information on the source of their drinking water, levels of any contaminants found in the water, and potential health effects of any contaminants that exceed federal or state public health standards, as well as give them information on how to participate in drinking water protection. Systems began providing these reports to consumers in 1999 and results for the first two years indicate that over 90% of systems required to prepare and distribute these reports did so by the required deadline. The fourth report is due by July 1, 2002. EPA has developed CCR Writer software to help water suppliers create their CCRs. The new version of CCR Writer 2.0 is available for download through the EPA website at <http://www.epa.gov/safewater/ccr/ccrwriter/html>.

Arsenic

The 1996 amendments to the Safe Drinking Water Act required EPA to revise the Arsenic drinking water standard. EPA published the revised standard on January 22, 2001. The final rule lowers the Maximum Contaminant Level (MCL) from 50 ppb to 10 ppb and applies to all community water systems and non-transient non-community water systems. Systems must be in compliance with the new rule by January 23, 2006. EPA has published a *Draft Implementation Guidance for the Arsenic Rule* (available for review and comment on EPA's website: <http://www.epa.gov/safewater/ars/implement.html>) to aid states, tribes and EPA's regional staff with rule implementation. EPA has also drafted a *STEP Guide: Complying with the New Drinking Water Standard for Arsenic* and a *Centrally Managed Point of Use Compliance Strategy* to assist water systems with compliance. Both of these documents are under review and are available at <http://www.epa.gov/safewater/ars/implement.html>. EPA is developing an *Arsenic Treatment Technology Design Manual for Small Systems* which is expected to be completed in August 2002. The Agency has also been holding training sessions throughout the U.S. for State and Regional personnel, drinking water providers, technical assistance providers, and consultants. Additional information regarding future trainings is available at www.epa.gov/safewater/ars/arstrng.html or through the Safe Drinking Water Hotline at 1-800-426-4791.

Hazardous Waste Management Resource Conservation & Recovery Act (RCRA)

Paint Manufacturing Hazardous Waste Listing Determination

On April 4, 2002, EPA issued its final determination not to list paint production wastes as hazardous (Federal Register, April 4, 2002, See OASBO Item C-96). EPA made this determination under the Resource Conservation and Recovery Act (RCRA) which directed the Agency to determine whether certain wastes from the paint production industry may present a substantial hazard to human health or the environment. EPA proposed concentration-based listings for certain paint production waste solids and liquids on February 13, 2001. However, following a review of public comments and supplemental analyses based on public comments, the Agency determined that the paint wastes identified in the proposal do not present a substantial hazard to human health or the environment. This determination does not affect the status of paint production wastes under any existing hazardous waste listings. Also, these waste remain subject to a determination whether they exhibit any hazardous waste characteristics (see 40 CFR 261.21 - 261.24).

Revised Standards for Hazardous Waste Combustion Facilities

Background

Congress amended the Clean Air Act (CAA) in 1990 to require that hazardous air pollutants be controlled by technology-based standards – standards based on the technical capabilities of control strategies for the emitting industry in question, with further controls required later if significant risk remains after imposition of the technology-based standards.

On September 30, 1999, we promulgated standards (referred to as the "Phase I" rule, 64 FR 52828) to control emissions of hazardous air pollutants from incinerators, cement kilns and lightweight aggregate kilns that burn hazardous wastes. These emission standards created a technology-based national cap for hazardous air pollutant emissions, assuring that combustion of hazardous waste in these devices is properly controlled. Additionally, the rule satisfied our obligation under the Resource Conservation and Recovery Act (RCRA) to ensure that hazardous waste combustion is conducted in a manner protective of human health and the environment. By using both CAA and RCRA authorities in a coordinated fashion, we consolidated regulatory control of hazardous waste combustion into a single set of regulations, thereby minimizing the potential for conflicting or duplicative federal requirements.

Recent Activities

A number of parties, representing interests of both industrial sources and of the environmental community, sought judicial review of the rule. On July 24, 2001, the United States Court of Appeals for the District of Columbia Circuit (the Court) granted the Sierra Club's petition for review and vacated the challenged portions of the rule. However, the Court invited us (or any of the parties to the proceeding) to file a motion to delay issuance of its mandate to request either that the current Phase I standards remain in place, or that we be allowed reasonable time to develop interim standards.

On October 19, 2001, after several months of negotiation, we, together with all other petitioners that challenged the hazardous waste combustor emission standards, filed a joint motion asking the Court to stay the issuance of its mandate for four months to allow us time to develop interim standards, and the Court granted this request. In the joint motion, we agree to take several actions. First, we agreed to issue a one-year extension to the compliance date of September 30, 2002. On December 6, 2001 we published a final rule to extend for one year the compliance date for Phase I sources (66 FR 63313). Second, we committed to publish an interim rule with revised emission standards and to finalize several compliance and implementation amendments to the rule. These stop-gap interim standards and compliance and implementation amendments were promulgated on February 13 and 14, 2002 (67 FR 6792 and 67 FR 6968). The interim standards replace the vacated standards temporarily, until we finalize replacement standards that comply with the Court's mandate. Finally, we agreed to issue these final replacement standards that fully comply with the Court's opinion by June 14, 2005.

Also, we are developing MACT standards for hazardous waste burning industrial and institutional/commercial boilers, process heaters, and hydrochloric acid production furnaces. These sources are referred to as Phase II sources because the MACT standards for these sources were originally scheduled to be promulgated after the Phase I source MACT standards were finalized.

Additional information is available from EPA's Hazardous Waste Combustion website <http://www.epa.gov/hwcmact>.

RCRA Reporting And Recordkeeping Burden Reduction

To meet the goals of the Paperwork Reduction Act of 1995, EPA is reducing the reporting and recordkeeping burden imposed by RCRA on the regulated community, states, and the public.

On January 17, 2002, the RCRA Burden Reduction Initiative Proposed Rule was published in the Federal Register. It contained many proposals for reducing paperwork burden. The comment period for the Rule closed April 17, 2002. The Proposed Rule may be found at the web

site www.epa.gov/epaoswer/hazwaste/data/burdenreduction.

The proposals in the Rule are:

- (1) Eliminating or streamlining a third of the RCRA reporting and recordkeeping requirements;
- (2) Reducing records retention time to three years in most cases;
- (3) Reducing facility self-inspection frequencies;
- (4) Streamlining personnel training requirements, and
- (5) Eliminating and reducing requirements of the Land Disposal Restrictions Program which regulates the disposal of hazardous wastes.

EPA is currently reviewing the comments in anticipation of writing a final rulemaking.

Solvent-contaminated Shop Towels And Wipes

EPA's Office of Solid Waste is developing a rulemaking that would change the regulations affecting solvent-contaminated shop towels, wipes, and rags. Currently, a disposable wipe or rag may be regulated as a hazardous waste if that wipe or rag comes in contact with a solvent that, when spent, is a listed hazardous waste or exhibits a characteristic of hazardous waste. Federal regulatory requirements for hazardous waste are found in 40 CFR 261-266, 268 and 270 and currently apply to these wastes.

Reusable towels are provided a conditional exemption from regulation as hazardous waste under most state programs. As a condition of the exemption, however, the towels may not contain any free liquids when they are sent offsite to a laundering facility. Otherwise, there are few regulations applicable to reusable shop towels.

The current rulemaking effort is directed to both clarifying and streamlining requirements for disposable and reusable solvent-contaminated shop towels, wipes and rags, such as record-keeping and reporting, manifesting, so long as specified conditions, such as not containing free liquids and being transported off-site in closed containers, are met. However, more stringent requirements would apply for wipes disposed in a landfill in order to obtain an exemption from RCRA Subtitle C regulations.

Standardized Permit For RCRA Hazardous Waste Management Facilities

This rulemaking, as proposed, will allow a type of general permit, called a standardized permit, for facilities that generate waste on-site in tanks, containers, and containment buildings. Under the standardized permit, facility owners and operators would certify compliance with generic design and operating conditions set on a national basis. The permitting agency would review the certifications submitted by the facility owners or operators. The permitting agency would also be able to impose additional site-specific terms and conditions for corrective action or other purposes, as called for by RCRA. Ensuring compliance with the standardized permit's terms and conditions would occur during inspection of the facility after the permit has been issued.

A Notice of Proposed Rulemaking (NPRM) was published on October 12, 2001 in the *Federal Register* (66 FR 52191). The Agency is currently assessing public comments and expects to publish a final rulemaking in early 2003.

Hazardous Waste Recycling Regulations

EPA has promulgated streamlined, hazardous waste management regulations governing the collection and transportation of certain wastes which are frequently recycled, such as batteries, recalled pesticides, and mercury thermostats, termed "Universal Wastes." These regulations are included in the Item C-51.

Recycling of Cathode Ray Tubes (CRTs): Proposed Changes to Hazardous Waste Regulations

This action proposes to revise the existing federal regulations to encourage reuse, recycling, and better management of cathode ray tubes (CRTs). A CRT is the main component of a television or computer monitor. A CRT is made largely of specialized glasses, many of which contain lead to protect the user from X-rays inside the CRT. Due to the lead, many CRTs could be hazardous wastes under the Federal Resource Conservation and Recovery Act (RCRA) regulations when they are disposed of or recycled under certain circumstances. Recycling can include using used CRT glass to make new CRTs, reclamation at lead smelters, or other uses. The notice proposes to exclude CRTs from RCRA regulation if they are recycled under certain conditions.

This action is taken in response to a June 9, 1998 recommendation on CRT recycling from the Common Sense Initiative (CSI) Council to The Environmental Protection Agency (EPA). The recommendation urged minimizing RCRA requirements for CRT recycling while retaining appropriate controls to ensure protection of human health and the environment. The goal of the recommendation is to facilitate an increase in recycling, thereby minimizing disposal of lead, increasing resource recovery, and enhancing protection of human health and the environment.

A Rule was published in the June 12, 2002 Federal Register pp.40507-28.

Land Disposal Restrictions; Potential Revisions for Mercury Listed and Characteristic Wastes

In May 1999, EPA published an Advance Notice of Proposed Rulemaking that described the issues the Agency has with the current Land Disposal Restrictions (LDR) treatment standards for mercury bearing hazardous wastes. The EPA in conjunction with the Department of Energy has conducted several treatability studies on elemental mercury and mercury-contaminated soils. Several of the vendors who expressed interest in processing the Department of Defense's mercury stockpile participated in this effort. These studies are currently being peer-reviewed. EPA expects to publish a Notice of Data Availability in the fall of 2002 which will describe the results of the treatability studies and the peer review and discuss alternatives to the current requirements, such as treatment variances.

Uniform Hazardous Waste Manifest Update

Further Rulemaking actions under consideration which address management of hazardous wastes include a revision of the Uniform Hazardous Waste Manifest to reduce the paperwork burden associated with the manifest, consistent with the current Agency objectives for burden reduction. Currently, many states collect manifests, and they may require additional information to be supplied on the manifest in the optional blocks provided on the form. This can become burdensome when waste must be transported to several different states and each state has slightly different requirements or requires its own form. Also, some states require paying a fee to obtain their manifest. The Agency seeks to reduce the burden of the manifest by streamlining the form by prescribing one universal form, and, where feasible, by utilizing automated information technologies which facilitate the electronic completion, signing, transmission, and storage of manifest data.

A notice of proposed rulemaking was published on May 22, 2001. The comment period closed on October 4, 2001. EPA received about 60 sets of comments, and the agency is now reviewing and analyzing these

comments. The work group resumed meetings in March 2002, and is deliberating now on issues and rule language for the final rule. A final rule is anticipated around May, 2003.

Hazardous Waste Storage and Disposal Regulation Related to Low Level Mixed Waste

The Environmental Protection Agency (EPA) has amended its regulations under Subtitle C of the Resource Conservation and Recovery Act (RCRA) to provide a conditional exemption from certain requirements for eligible mixed waste. The "Storage, Treatment, Transportation, and Disposal of Mixed Waste; Final Rule" was published in the Federal Register on May 16, 2001. (Included in Item C-59)

Mixed waste is radioactive RCRA hazardous waste. It is regulated under two authorities: 1) the Resource Conservation and Recovery Act (RCRA), as implemented by EPA or authorized states for the hazardous waste component; and 2) the Atomic Energy Act (AEA), for the radiological component as implemented by the Nuclear Regulatory Commission (NRC) or Agreement States.

The focus of the final rule is to provide flexibility under RCRA Subtitle C to facilities that manage eligible mixed waste. EPA is establishing a conditional exemption from the definition of hazardous waste applicable to low-level mixed waste (LLMW) and hazardous waste contaminated by Naturally Occurring and/or Accelerator-produced Radioactive Material (NARM). The rule will reduce dual regulation for generators in the management and disposal of their wastes. This flexibility will enable generators of LLMW licensed by the Nuclear Regulatory Commission (NRC) to claim an exemption for storing and treating these wastes in tanks or containers without a RCRA permit. The rule also provides flexibility for the manifesting, transportation and disposal of eligible mixed waste. Waste meeting the conditions is exempted from certain RCRA Subtitle C hazardous waste requirements and may be managed as solely radioactive waste in accordance with NRC or Agreement State regulations.

The final rule became effective November 13, 2001. EPA is currently developing an overview and summary of the provisions of the rule that will be on the Agency web site and available as a printed brochure to publicize the rule to businesses and others involved in mixed waste management.

The Federal Register Notice is available in electronic format on the Internet at <<http://www.epa.gov/radiation/mixed-waste>>.

Above-ground Storage Tanks (AST)/SPILL Prevention Control and Counter-measures Update

The EPA has promulgated the Oil Pollution Prevention rules under Title 40 CFR Part 112 included in Item C-77 requiring that facilities prevent oil spills and ensure preparedness in the event of spills. This rulemaking is commonly known as the Spill Prevention Control and Countermeasure (SPCC) regulation. The rulemaking deals with spill prevention. The SPCC program concerns regulation of non-transportation related facilities with above-ground storage capacity in excess of 1,320 gallons or 660 gallons in a single tank, or buried tanks of greater than 42,000 gallons capacity. Proposed Rules were published (FR 10/22/91, pages 54611-41), and (FR 2/17/93, pages 8841-4 and pages 8846-8) which are included in Item C-77. A Proposed rule was published (FR 12/2/97, pages 63812-20), which is included in Item C-77. A Final rule should be published this summer that, among other provisions, will amend some of the capacity requirements.

The rule, 40 CFR Part 112, also concerns facility preparedness and development of response plans under the Oil Pollution Act (the Act of 1990) which requires that EPA issue regulations to require "Facility Response Plans" (FRP) covering events which could cause substantial harm to the environment. Also, included in publication Item C-77 is the National Response Team's Integrated Contingency Plan Guidance, Notice 6/5/96 FR pp. 28641-64, with corrections, 6/19/96 FR pp. 31163-4, which provides additional guidance on emergency plan preparation. An amendment to the Facility Response Plan requirements has been published as a Final Rule (FR 6/30/00 pp. 40775-817) with corrections (FR 7/14/00 p. 43840, and FR 6/29/01 pp. 34559-61) all of which are included in Item C-77.

Emergency Planning, and Community Right-to-know Act (EPCRA)

Supporting the State Local Emergency Planning Committees (LEPC)

Major requirements of the Act include emergency planning for designated hazardous substances (Extremely Hazardous Substances, or "EHS") above threshold reporting quantities; reporting releases of EHS and hazardous substances above reportable quantities; submission of Material Safety Data Sheets (MSDS) to planning groups; and submission of annual reports on March 1, 2001 covering inventories of hazardous substances, which for any time in the reporting year exceed the stated reporting thresholds. These requirements are explained in the "Community Right-to-Know and Small Business" pamphlet, Item K-32.

On June 8, 1998, EPA proposed modifications to 40 CFR Part 370, the regulations codifying sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA). The proposed rule, FR item on 6/8/98, as included in Item K-30, addressed several changes.

- Higher reporting thresholds for gasoline and diesel fuel at retail gasoline stations. Retail gas stations that store gasoline and diesel fuel entirely underground and are in compliance with underground storage tank (UST) regulations would be subject to the following thresholds under section 311-312: 75,000 gallons for all grades of gasoline combined and 100,000 gallons for diesel fuel. EPA estimates that the vast majority of retail gas stations will have less than these quantities.
- Greater reporting flexibility and elimination of routine reporting requirements for: rock salt, sand, gravel, and other materials. Facilities that store or handle rock salt, sand, and gravel no longer would report these substances under sections 311-312, regardless of how much was onsite.
- Clarify reporting of mixtures and change the interpretation of the existing hazardous chemical exemption for solids under Section 311.
- Solicited comments on the changes as noted above, and also asked for comment on several issues that would give State and Local Governments more flexibility to implement the existing requirements of EPCRA sections 311-312.
- Partnership programs for streamlined submission of and joint access to section 311 and 312 information;
- Electronic submittal of information;
- Reporting of ONLY changes in information, rather than submitting a new inventory each year;
- Allowing RCRA UST reports to fulfill EPCRA Section 312 requirements.

This notice proposes to rewrite the existing regulations under Sections 302-312 of EPCRA in a "Plain Language" format, and

incorporates the requirements addressed in the Final rule (5/7/96 FR pp. 20473-90). Comment is also being sought on the use of the "Plain English" in this rule.

The texts of the proposed rule are available also in electronic format at: <http://www.epa.gov/ceppo/>, EPA's Chemical Emergency Preparedness and Prevention Office Home Page. EPA issued a final rule February 11, 1999 (Relief for retail gas stations) that eliminated reporting on gasoline and diesel fuel stored entirely underground in tanks, fully in compliance with Underground Storage Tank (UST) Regulations at retail gas stations with thresholds of:

- 75,000 gallons for all grades of gasoline combined and 100,000 gallons for diesel fuel.

Convenience stores and truck stops that sell gasoline or diesel fuel to the public also meet the definition of retail gas stations.

Retail gas stations that meet these criteria were not required to file Tier I or Tier II reports for calendar year 1998 and subsequent years. This final rule is included in Item K-30. After reviewing the public comments on the proposed rule, EPA decided that the proposal involving the relief from routine reporting for substances with minimal hazards and minimal risk needed clarification and further development prior to promulgating a final rule. This supplemental notice will further clarify EPA's intent and proposes an alternative modification to Part 370 to reduce the number of chemicals on which facilities must report annually under EPCRA section 312.

The publication of the supplemental notice is currently postponed in order to focus on other homeland security issues.

Toxics Release Inventory (TRI) (Update)

The EPCRA Section 313 program is also referred to as the Toxics Release Inventory or TRI. Under Section 313, facilities are required to report releases and other waste management of specifically listed chemicals. Facilities that meet all three of the following criteria are subject to EPCRA Section 313 release and other waste management reporting: (1) have 10 or more full-time employees or the equivalent; (2) are in a covered SIC Code (including SIC codes 10 (except 1011, 1081, and 1094), 12 (except 1241), 20-39, 4911, 4931, 4939 (4911, 4931, 4939 limited to facilities that combust coal and/or oil for the purpose of generating electricity for distribution in commerce), 4953 (limited to facilities regulated under RCRA Subtitle C, 42 U.S.C. section 6921 et seq.), 5169, 5171, and 7389 (limited to facilities primarily engaged in solvents recovery services on a contract or fee basis)); and (3) exceed anyone threshold for manufacturing (including importing), processing, or otherwise using a toxic chemical listed in 40 CFR Section 372.65. See also the Final Rule, 5/1/97 FR pp. 23833-92, included in K-29.

If a facility meets the employee threshold and is in a covered SIC code, but its annual reportable amount of the toxic chemical does not exceed 500 pounds and the facility has not manufactured, processed, or otherwise used more than one million pounds of the toxic chemical, the facility may submit the Form A (a two-page certification statement) instead of the Form R. However, if the facility exceeds either the 500 or one million pound limits, it must report on the Form R.

Facility Expansion—On May 1, 1997, EPA published a final rule (5/1/97 FR pp. 23833-92) to add certain industry sectors to the current list of facilities required to report to TRI. These new industries began reporting their releases and other waste management information for activities conducted in 1998 in reports due July 1, 1999. The seven new industry groups are: metal mining, coal mining, electric utilities, commercial hazardous waste treatment, chemicals and allied products (wholesale), petroleum bulk terminals and plants, and solvent recovery services. This rule is included in K-29.

Persistent Bioaccumulative Toxic Chemicals (PBTs)—On October 29, 1999 (64 FR 58666) EPA published a final rule which lowers the EPCRA section 313 reporting thresholds for certain persistent bioaccumulative toxic (PBT) chemicals and adds certain other PBT chemicals to the EPCRA section 313 list of toxic chemicals. The rule also includes modifications to certain reporting exemptions and requirements for the chemicals newly subject to the lower reporting thresholds. These PBT chemicals are of particular concern not only because they are toxic but also because they remain in the environment for long periods of time, are not readily destroyed, and build up or accumulate in body tissue. The new rule was effective January 1, 2000. Therefore, the new requirements began to apply for TRI reports on releases and waste management for the year 2000 which had to be submitted to the Agency by July 1, 2001. The list of PBT chemicals affected by the new rule include: Aldrin; Benzo(g,h,i)perylene*; Chlordane; Dioxin and dioxin-like compounds category*; Heptachlor; Hexachlorobenzene; Isodrin; Methoxychlor; Octachlorostyrene*; Pendimethalin; Pentachlorobenzene*; Polycyclic aromatic compounds category; Polychlorinated biphenyl (PCBs); Tetrabromobisphenol A*; Toxaphene; Trifluralin; Mercury; and Mercury compounds (PBT chemicals newly added to the EPCRA section 313 list of toxic chemicals are indicated by an asterisk). This rule is also included in K-29.

Lead and Lead Compounds—On January 17, 2001, EPA published a final rule which lowers their reporting thresholds for lead and lead compounds. The first reports using the lower thresholds will be due on or before July 1, 2002 (i.e., for calendar year 2001 reports). EPA believes that lead and lead compounds are persistent, bioaccumulative toxic (PBT) chemicals that warrant lower reporting thresholds than those currently established under EPCRA section 313. The rule includes a limitation on the reporting of lead when contained in certain alloys and proposed modifications to certain reporting exemptions and requirements for lead and lead compounds. (Also included in K-29).

Toxics Release Inventory (TRI) Public Data Release

EPA released the 2000 TRI data on May 23, 2002. TRI summary information and data access is available via the web at <http://www.epa.gov/tri/tridata/tri00/index.htm>. The 2000 TRI Data Release website provides fast and easy access to the data overview and relevant TRI information (including tables, charts, maps, and press materials). The TRI data can be accessed using the TRI Explorer (<http://www.epa.gov/triexplorer/>) as well as several other tools available on the TRI website. EPA also released two publications summarizing the 2000 data: the 2000 TRI Public Data Release (PDR) report; and the 2000 State Fact Sheet report. The 2000 TRI PDR report (EPA 260-R-02-003) provides an overview of the 2000 TRI reporting year data. This report provides: a detailed analyses and supporting tables for TRI releases and other waste management; an overview of the persistent bioaccumulative toxic (PBT) chemicals reported to TRI for the first time in the 2000 reporting year; an analysis of the geographic distribution of TRI releases and other waste management; and other information relating to TRI data. The PDR report serves as a companion volume to EPA's 2000 TRI State Fact Sheets (EPA 260-F-02-004). The State Fact Sheets provide a general overview of TRI and the 2000 TRI data by state; a description of the information included in the state fact sheet, and data summary tables. EPA provides this type of analysis as a snapshot of each state's releases and other waste management. Hard copy reports will be available in July 2002 and can be obtained by calling (202) 564-9554 or by emailing TRIDOCs@epa.gov.

EPA released the 1999 TRI Data on April 11, 2001. TRI summary information and data access is available via the web at <http://www.epa.gov/tri/tridata/tri99/index.htm>. The TRI 1999 Data Release (TRI99) website provides fast and easy access to the data

overview and relevant TRI information (including tables, charts, maps, and press materials). EPA also released two publications summarizing the 1999 data: the 1999 TRI Public Data Release report; and the 1999 State Fact Sheet report. These documents are available on the TRI99 website noted above or by calling (202) 564-9554 or by emailing TRIDOCs@epa.gov (reference EPA 260-R-01-001 for the Public Data Release report; and EPA 260-F-01-001 for the State Fact Sheets). The Toxic Release Inventory 1999 Executive Summary (11 pp.) is available as Item K-66.

The 1998 TRI Public Data Release report was released in May 2000. Similar to the 1999 data access page, the 1998 Data Release (TRI98) website provides fast and easy access to the data overview and relevant TRI information (available at <http://www.epa.gov/tri/tridata/tri98/index.htm>). Both the 1998 TRI Public Data Release report and the 1998 Public Data Release State Fact Sheet report are available on the TRI98 website noted above or by calling (202) 564-9554 or by emailing TRIDOCs@epa.gov (reference EPA 745-R-00-007 for the Public Data Release report; and EPA 745-F00-003 for the State Fact Sheets). The 1998 Toxic Release Inventory (TRI) Data Summary, EPA 745-R-00-002, May 2000 (48 pp.) is available as Item K-64.

Copies of these documents may be obtained by calling by calling (202) 564-9554 or by emailing TRIDOCs@epa.gov. More information is also available via the TRI website at www.epa.gov/tri.

Toxic Substance Control Act (TSCA)

Lead: Notification Requirements for Lead-Based Paint Abatement Activities and Training

A rule is being proposed to establish notification procedures for lead abatement professionals conducting lead-based paint activities, and training programs providing lead-based paint activities courses. Specifically, the rule seeks to establish procedures to notify the Agency prior to commencement of lead-based paint abatement activities as required by 40CFR745.227(e)(4). In addition, this rule seeks to establish provisions which would require training programs accredited under 40CFR745.225 to notify the Agency under the following conditions: (1) prior to providing lead-based paint activities training and (2) following completion of lead-based paint activities courses. FR 1/22/01, Page 7207-16. Item E-58

Lead: Management and Disposal of Lead-based Paint Debris

EPA is proposing a rule under TSCA to provide new standards for the management and disposal of LBP debris generated by contractors. EPA also is separately proposing temporary suspension of the regulations under Subtitle C of the Resource Conservation and Recovery ACT (RCRA), which currently apply to LBP debris. The new TSCA standards do not address LBP debris generated by homeowners in their own homes. The notice of the proposed rules was published in the FR 12/18/98, pp 70190 and 70233.40 CFR, Part 745, Subpart P Item E-47.

Lead: Disposal of Residential Lead-Based Paint Waste

A direct Final Rule has been published to allow residential lead-based paint waste to be disposed of in construction and demolition landfills, effective January 22, 2002. The rule adds a definition which states: "Residential lead-based paint waste means waste generated as a result of lead-based paint activities (including abatement, rehabilitation,

renovation and remodeling) in homes and other residences. The term residential lead-based paint waste includes, but is not limited to, lead-based paint debris, chips, dust and sludge. Not included is LBP waste from non-residential structures such as public and commercial buildings, warehouses, bridges, water towers and transmission towers. Also, not included in the residential LBP waste definitions are residential LBP demolitions and deconstruction waste. EPA does not consider demolition and deconstruction waste to be household since it is not similar to those wastes generated by a consumer in the home in the course of daily living. FR Oct 23, 2001, Page 53535-53542, 40 CFR Parts 257 & 258. Item E-48

General

National Environmental Laboratory Accreditation Conference (NELAP)

There are currently 12 NELAP Accrediting Authorities (California, Florida, Illinois, Kansas, Louisiana Department of Health, Louisiana Department of Environmental Quality, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, and Utah). Since January 2001 the list of accredited laboratories that successfully met all the National Environmental Laboratory Accreditation Conference (NELAC) standards has grown to nearly 1000. Over 300 of those laboratories have accreditations in more than one state. The list of NELAP accredited laboratories continues to grow. In addition, EPA has recently applied to become a NELAP Accrediting Authority and expects to have a program operational this year. Other states have passed legislation to become NELAP Accrediting Authorities and applications from those states are expected in the near future.

Background

NELAC is a voluntary association of State and Federal Agencies formed to establish and promote mutually acceptable performance standards for the inspection and operation of environmental laboratories. Private sector input to the process is obtained through a variety of mechanisms including open semi-annual meetings, committee participation, and the Environmental Laboratory Advisory Board (ELAB), a federally chartered committee that receives advice from a balanced representation of the private sector. NELAP is the EPA program that supports NELAC and recognizes the NELAP Accrediting Authorities.

The NELAC standards have been developed through a consensus process and are the foundation for recognition among the various accrediting authorities. The NELAC standards are primarily designed around two guidance documents that originated with the International Organization for Standardization (ISO), a body that develops consensus standards in a variety of technical fields. The two documents are ISO/IEC Guide 25-1990: "General Requirements for the Competence of Calibration and Testing Laboratories," and ISO/IEC Guide 58: "Calibration And Testing Laboratory Accreditation Systems-General Requirements For Operation And Recognition". The NELAC standards are currently undergoing revision to comply with ISO/IEC Standard 17025.

All aspects of NELAC are voluntary, requiring neither Congressional mandate nor EPA rulemaking. However, the state, territorial and federal agencies may make participation mandatory for the laboratories under their jurisdiction. Approval as a NELAP Accrediting Authority does require that states recognize laboratories accredited by other NELAP Accrediting Authorities.

A major goal of NELAC is to assure that decisions being made from analytical data have a sound technical, scientific, and statistical basis. The standards have been designed to help assure that the NELAP-accredited laboratories deliver data of the required level of quality. NELAC

standards provide a flexible system, designed to accommodate the various operational procedures and processes of the states under the regulatory programs delegated to the states by EPA.

The 1000 laboratories that are now NELAP accredited range from small municipal to large commercial environmental laboratories. NELAC is focusing on an outreach program to address the needs of the over 5,000 smaller commercial labs that are not in the program and is presently preparing a documentation package specifically designed to help small labs meet NELAC requirements. NELAP accredited laboratories are located across the country - in 45 states - and in 3 foreign countries.

Environmental Technology Verification Program

The Environmental Technology Verification Program (ETV) was started by the U.S. Environmental Protection Agency (EPA) in October 1995 to address the need for credible environmental technology performance data to help businesses and communities better utilize the available environmental technology choices. ETV operates through public/private testing partnerships to verify the performance of commercial-ready private sector environmental technologies in all media, air, water, soil, eco-systems, waste, pollution prevention, and monitoring. By June, 2002, 171 private sector environmental technologies had been verified, 120 additional technologies were in the testing process, and another 142 had submitted applications for testing. Information on the ETV program may be accessed at the ETV web site: www.epa.gov/etv.

The ETV program also has a listserv, ETVoice, which sends a brief monthly message to anyone interested in the ETV program highlighting new and updated information on the web site. You may subscribe to ETVoice through the web site.

The ETV Program Director is **Teresa Harten** who may be reached at harten.teresa@epa.gov, or at 513-569-7565.

The 2002 national conference for Small Business Ombudsman and Small Business Assistance Programs was held on

June 30 - July 3, 2002 at the Westin Michigan Avenue Hotel in Chicago. It was hosted by the Illinois Department of Commerce and Community Affairs Small Business Environmental Assistance Program. Over 170 participants registered for the conference which was a huge success!

There was a great training session for Compliance Advisory Panel members on Sunday, June 30, 2002. Sessions for state ombudsmen and small business assistance program staff started July 1 and were broken into different tracks for newcomers, technical issues, and professional development.

The Honorable Richard M. Daley, Mayor of Chicago addressed the entire group on July 2. Other speakers included Tom Skinner the USEPA Region V Administrator, Bharat Mathur the USEPA Region V Deputy Administrator, and Thomas Sullivan, the SBA Chief Counsel for Advocacy.

Please join us at next year's conference hosted by the Maryland Department of Environment in Baltimore.

Frequently Requested Publications

A Guide for Small Businesses

A booklet entitled The Clean Air Act Amendments of 1990: A Guide for Small Businesses was published in 1992. This guide provides small businesses a broad overview of the Act's complex requirements and the effects they are likely to have, in general, on a small business. The guide provides contacts for obtaining additional information. Accompanying the booklet is a four-page summary entitled What A Small Business Should Know About the New Clean Air Act. See Item I-36

Small Quantity Generator Handbook

A handbook has been published, "Understanding the Hazardous Waste Rules--A Handbook for Small Business--1996 Update" [EPA-530-K-95-001], June 1996, which is available in Item C-10. (Available only on Internet is an update, December 2001 [EPA 530-K-01-005], but a copy is included in Item C-10.) Also, included with the handbook in Item C-10 is an Addendum, which provides information on Department of Transportation regulated waste transport requirements and domestic sewage requirements for hazardous wastes. In addition, in an "Appendix A," the Regional and State contacts for the regulated waste program are "updated," and notations are made on which states require fees for obtaining copies of the Waste Manifests for transport of the waste generated. Other appendices in the Addendum provide sources of information and guidance on waste minimization and pollution prevention. See Item C-10.9

Little Known But Allowable Ways to Deal With Hazardous Waste Booklet

The EPA has identified a number of allowable ways that small businesses can minimize their hazardous waste on site. This document provides information on five of these methods: 1) Domestic Sewage Exclusion; 2) Elementary Neutralization; 3) Recycling; 4) Treatment in Accumulation Containers; and 5) Burning in Small Boilers and Industrial Furnaces. This Guide provides information and answers the question of whether any of these methods might work for you. The Guide contains two principal sections. The introduction provides background information on the purpose of the Guide, a brief overview of the EPA Hazardous Waste Program as it applies to small businesses, and a summary of the five EPA allowed hazardous waste minimization methods identified above. The second section is a state-by-state review of these allowable ways to minimize hazardous waste. The section provides summary information for each state including its definition of hazardous waste, allowances for each of the five EPA allowed waste minimization methods, and information on special state hazardous waste management program considerations. This document can be obtained by calling the SBO toll-free hotline at 1-800-368-5888. See Item C-2.

Resource Guide For Small Business Environmental Assistance

Under a grant from the Office of the Small Business Ombudsman, the Iowa Waste Reduction Center (IWRC), University of Northern Iowa, developed a multi-media Resource Guide for Small Business Assistance Providers. This Guide provides a quick and convenient reference tool for locating environmental assistance materials (regulatory and non-regulatory) that have been developed mostly by the states, and some by EPA. The Guide was prepared in cooperation with all the states and is primarily for assistance providers to be used as reference document. The information included is extremely useful in helping locate readily available materials from other states in an effort to not "reinvent the wheel." These materials are also useful to state and local assistance providers and small businesses in becoming educated on environmental regulations and pollution prevention. The Guide is only available in electronic format with search and report generation capabilities, and detailed instructions. There is also a rating system which indicates relevance and type of use for which most suitable. The Guide has had extensive state review. See Item B-18.

Upgraded Source Book on Environmental Auditing for Small Business

EPA's Environmental Auditing Source Book for Small Business is now an upgraded compilation of the bibliography references, training information, and a summary matrix of auditing tools for quick reference. This book also contains information on environmental auditor standards and qualifications. See B-14. Also available is the Small Business Environmental Assistance Site Visit Manual prepared by the Iowa Waste Reduction Center, University of Northern Iowa, see B-17. Both of these documents can be obtained by calling the SBO toll-free hotline at 1-800-368-5888.

Revised Small Lab Environmental Management Guide

See the special announcement on the Guide's availability in this Newsletter. The Guide can also be found and downloaded from the EPA Small Business Ombudsman's Home Page www.epa.gov/sbo and the State Small Business Home Page www.small.biz.enviroweb.org. We have completed a project to update and expand the Guide. There is more comprehensive coverage of environmental management issues affecting small labs. New areas of coverage include radioactive materials and biologically active substances. A summary of hazardous waste management techniques allowing on-site treatment is included, as well as, expanded pollution prevention opportunities, and opportunities for cost efficiencies. See Item B-16.

Environmental Assistance Services For Small Business, A Resource Guide

This resource guide has been structured to assist small businesses, state programs, and small business assistance program providers information on the many services available including EPA hotlines, clearinghouses, web sites, virtual assistance centers, training, television broadcast programs, publications, guidance documents, brochures, fact sheets, news letters, and other information sources. This guide is listed as Item B-20 in our listing of publications, and can also be obtained by calling the SBO toll-free hotline at 1-800-368-5888.

Key Aspects of the SBREFA Legislation

The Small Business Regulatory Enforcement Fairness Act (SBREFA) became law in March, 1996 to foster a government environment that is more responsive to small businesses and other small entities. The Act is comprised of the following six key areas:

- **Regulatory Compliance Simplification:** Federal regulatory agencies must develop compliance guides, written in plain English, to help small businesses understand how to comply with regulations that may have a significant effect on them. Agencies must also develop a program for providing small entities with informed guidance on complying with applicable laws and regulations.
- **Equal Access To Justice Act Amendments:** Under certain circumstances, small businesses can recover attorney's fees and court costs in a court or administrative hearing, even when they lose.
- **Congressional Review:** Congress has provided itself with a process by which it can review and, if necessary, disapprove regulations with which it takes issue.
- **Regulatory Enforcement Reform of Penalties:** Each regulatory agency must establish a policy to reduce and, where appropriate, waive civil penalties for minor violations under certain circumstances.
- **Small Business Advocacy Review Panels:** For proposed rules subject to the Regulatory Flexibility Act, EPA must solicit input from the small businesses that will be subject to the rules and make these findings public. SBA's Office of Advocacy and the Office of Management and Budget aid this process.
- **Regulatory Enforcement Reforms:** The Act created the Small Business and Agriculture Regulatory Enforcement Fairness Ombudsman. In August, 2001, President Bush appointed Michael L. Barrera as National Ombudsman. The Act also created the Regional Regulatory Fairness Boards, the members of which assist the National Ombudsman in receiving small businesses' comments about enforcement activities of federal regulatory agencies. The appointed Fairness Board members are small business owners and operators.

Brief Explanations of the National Ombudsman and Regional Fairness Boards

Subtitle B of SBREFA created the National Ombudsman and 10 Regional Regulatory Fairness Boards to provide small businesses with the opportunity to comment on enforcement activity by federal regulatory agencies. Through this provision, Congress and the President have provided a way that small businesses can express their views and share their experiences about federal regulatory activity.

The National Ombudsman and the Fairness Boards will receive comments about federal compliance and enforcement activities from small businesses, and report these findings to Congress every year. The report will give each agency a kind of "customer satisfaction rating" by evaluating the enforcement activities of regulatory agency personnel and rating the responsiveness of the regulatory agencies to small business regional and program offices..

Regulatory Enforcement Ombudsman

- Receives comments from small businesses on federal agencies' compliance and enforcement actions
- Reviews small businesses' comments
- Rates federal agencies on their responsiveness to small businesses' comments
- Reports annually to Congress

10 Regional Fairness Boards

- Members are small business owners/operators
- Report to the National Ombudsman about comments and issues specific to their regions
- Provide input regarding federal agency compliance activities affecting small entities in their region
- Contribute to the annual report to Congress

For additional information about the Ombudsman or the Regulatory Fairness Boards, call SBA's toll free number: 1-888-REG-FAIR (734-3247) or visit their Web site at www.sba.gov/ombudsman.

SBA REGIONAL SMALL BUSINESS REGULATORY FAIRNESS BOARDS

Regions/Members July, 2002

Region 1 Roxanna Adams** Atlantic Awards, Inc 840 Hammond Street Bangor, ME 04401 (207) 942-6464	Doris Ballard Ballard Novelty and Party 7 Broadway Shop Concord, NH 03304			
Region 2. Sandra Lee Harold. Lee Insurance 31 Pell St New York, NY 10013 (212) 962-6656				
Region 3 Wilkins McNair, Jr* Wilkins Acctg Firm 201 N Charles Street Suite 910 Baltimore, MD 21201 (410) 962-5252	Kenneth Rodriguez Rodriguez Enterprises P O. Box 389 Sewickley, PA 15143 (412) 749-7810	Pamela J Mazza Piliero, Mazza & Pargament 888 17 th St., NW # 1100 Washington, DC (202) 857-1000	Martin L. Shaffer American Vending 8 Army Road Clarksburg, WV 26301 23219 (304) 623-5791	
Region 4 Robert G. Clark V Clark Communi. Corp 149 N Hanover Ave Lexington, KY 405023 (606) 233-7623		Livia Whisenhunt* PS Energy Group, Inc 2957 Clairmont Rd Suite 510 Atlanta, GA 30359 (404) 321-5711		
Region 5. Hardie Blake* Bethel Business, Inc 118 Lincoln Way E Mishawaka, IN 46544 (219) 259-1527	Lyle J Clemenson Clemenson Enterprises, Inc PO Box 406 Brookly Park, MN 55445 (763) 425-1167	Irwin G Haber PDI Ground Support Systems, Inc 5905 Grant Avenue Cleveland, Ohio 44125 (216) 271-7344		
Region 6. Wallace Caradine Caradine & Co, Inc PO Box 16430 Little Rock, AR 72206 (501) 372-4199	Elise E. McCullough Staffing Solutions, LLC 1305 Dublin Street New Orleans, LA 70118 (504) 864-9900	David Martinez D&D Machinery & Sales 2420 WR Larson Rd San Antonio, TX 78261 (830) 438-2309	Frederick A. Peralta Lialac Shoppe/Tows of Taos 710C Paseo Del Pueblo Sur Taos, NM 87571 (505) 751-2006	
Region 7. Damel Morgan V Morgan-Davis, Intern'l Morgan Ranch HC79 Box 42 Burrell, NE 68823 (308) 346-4394	Clark D. Stewart Butler National Corp 19920 W 161 st Street Olathe, KS 66062 (913) 780-9595			
Region 8. Mary Thoman* Thoman Ranch HC65 Fontenelle Route Kemmerer, WY 83101 (307) 877-3718	Scott A. Flores Die Cut Technologies 5935 Pearl St Denver, CO (303) 297-9327			
Region 9 Joseph Cerbone Travis Morgan Sec. 18952 McArthur Blvd Suite 315 Irvine, CA 92612 (949) 261-2906	Frank T Ballesteros PPEP Microbusiness & Housing 1100 E. Ajo Way, #209 Tucson, AZ 85713 (520) 806-8513	Patricia A Chevalier Blue Hawaiian Helicopters 105 Kahului Heliport Kahului, HI 96732 (808) 871-8844		
Region 10. Faye M. Burch F M. Burch & Associates, Inc 1126 NE Lija Loop Portland, OR 97211 (907) 561-5144	Milford E Terrell DeBest Plumbing & Mechanical, Inc 11477 W President Dr Boise, ID 83713 (208) 322-4844			

*=Chair

**=Vice Chair

EPA Holds Fourth National Customer Service Conference

EPA will hold its Fourth Annual National Customer Service Conference: "Rising to Excellence through Citizen-Centered Government" on August 5-7, 2002 at the Omni Shoreham Hotel, 2500 Calvert Street, NW in Washington, DC. The goals of the conference are to provide relevant, up-to-date information on cutting-edge citizen-centered service and on important aspects of President Bush's Management Agenda, as well as to provide an opportunity for federal, state and local government professionals to network and share best practices and innovative solutions in these areas.

Conference attendees will partake in numerous special training workshops, including ones focused on website design and improvement, customer satisfaction feedback, achieving professional results, and sharing of ideas and strategies for implementing the President's Management Agenda effectively. Participants will also hear stories of successes and lessons learned, innovative e-government approaches and ways to overcome obstacles, and will be exposed to new tools, techniques and strategies for results-oriented government. Topics will be presented by a distinguished list of speakers from government, academia, industry and the private sector.

Registration for the conference is \$100 (contact: Isabelle Howes, 202/314-3471); the hotel rates are \$119/single and \$139/double room, plus tax. **Reservations deadline** to receive the discounted hotel rate **is July 12, 2002** (Omni Shoreham Hotel, 202/234-0700).

Update on EPA Public Involvement Policy Activities

Since the last issue, the EPA released "Recommended Actions for Implementing EPA's Public Involvement Policy" for a 60-day comment period which ended in March 2002. A cross-agency workgroup created the document, which includes recommendations for providing public involvement training for EPA staff, creating mechanisms to share information about public involvement practices and ideas, and evaluating EPA's public involvement activities. The "Recommended Actions" document also lists particular responsibilities for implementing the Public Involvement Policy and describes activities to ensure that EPA staff and management fully understand and support the Policy. "Recommended Actions" is available on EPA's website @ <http://www.epa.gov/publicinvolvement/implanpublic.htm>.

Based on public comments, EPA is revising the "Recommended Actions" document to become its Policy Implementation Plan. That Plan will be issued, along with the 2002 Public Involvement Policy, during the Fall of 2002. When issued, the Plan will not be final; periodic updates will be posted to the website. Both the 2002 Policy and the Plan will be posted @ <http://www.epa.gov/publicinvolvement>. Call Loretta S. Davis at 202-566-2216 for printed copies of the "Recommended Actions" document or the Draft Policy, or request e-mail copies from bonner.patricia@epa.gov.

Past issues have reported on the release of the Draft Policy and an on-line discussion. The Agency released the Draft 2000 Public Involvement Policy <http://www.epa.gov/publicinvolvement/policy.htm> on December 28, 2000, and received public comments through July 31, 2001. When revised and issued, the Policy will provide guidance and direction to EPA officials on effective means to involve the public in its regulatory and program decisions.

To encourage additional input on EPA's public involvement activities, the Agency sponsored an Internet-based Dialogue on Public Involvement in EPA's Decisions from July 10 - July 20. The 1,144 participants (from all 50 states, two territories and 5 other nations) discussed specific topics related to the draft Public Involvement Policy. The Dialogue messages and site are available @ <http://www.network-democracy.org/epa-pip/join/agenda.shtml>.

Update on the Office of Environmental Information

The Office of Environmental Information (OEI) supports the Agency's mission to protect public health and the environment by integrating quality environmental information to make it useful for informing decisions, improving management, documenting performance, and measuring success. Working with our many different internal and external stakeholders and data partners, OEI establishes and oversees information-related policies and procedures that reflect the concerns of small businesses; local, state, and federal government; tribes; interest groups; and the general public.

2000 TRI Data Release

OEI recently issued its annual report on the amount of toxic chemicals released into the environment. The report shows that the trend of declining overall releases continues. Total releases of chemicals nationwide decreased by about 700 million pounds during 2000, the latest year for which data are available. This year's report of the Toxics Release Inventory (or TRI) contains newly-included data on persistent bioaccumulative toxic (PBT) chemicals, such as dioxins, mercury and PCBs, giving communities a more complete picture of the sources of chemicals in their environment. As reported to EPA, total chemical releases into the environment decreased nationwide from 7.8 billion pounds in 1999 to 7.1 billion pounds in 2000. Based on trends since the inception of TRI, chemical releases have decreased approximately 48 percent since 1988.

Looking at all chemical releases, approximately 27 percent of chemicals were released to air, 4 percent to water, and 69 percent to land on- and off-site. The 2000 Toxic Release Inventory data and background information on the TRI program are available at: <http://www.epa.gov/tri>. A special research tool called TRI EXPLORER is available on a link from the web page, enabling users to analyze the data by facility, chemical or industry; and at the county, state or national level. The availability of these data make it possible to gauge progress in reducing toxic chemical pollution.

Small businesses can use the TRI data to obtain an overview of the release and other waste management of toxic chemicals, to identify and reduce costs associated with toxic chemicals in waste, to identify promising areas of pollution prevention, to establish reduction targets, and to measure and document progress toward reduction goals.

In filing reporting year 2000 chemical reports, over 600 TRI reporting facilities took advantage of EPA's new TRI interactive, intelligent reporting software tool, called "TRI-ME" or "TRI Made Easy." The program, which assists facilities in determining and completing their TRI reporting obligations, was made available on a limited basis for 2000 reporting. It has been sent to all TRI reporting facilities for 2001 reporting. TRI-ME is designed both to simplify and expedite reporting, and to improve the quality of the data submitted to TRI.

New EPA docket system online

On May 31, 2002, EPA published a Federal Register notice announcing the availability of a new electronic docket and comment system, EPA Dockets (EDOCKET) online at <http://www.epa.gov/edocket>. Dockets contain Federal Register notices, support documents, and public comments for regulations the Agency publishes and various non-regulatory activities. EDOCKET allows you to search, download and print the documents in a docket, as well as submit comments online. EDOCKET is designed to greatly expand access to EPA's public dockets, facilitate the submission of public comments to EPA and supports the President's Management Agenda's E-Government Initiative. Since the announcement in late May, user requests for pages from EDOCKET have more than doubled..

To learn more about OEI, the TRI data release, or EDOCKET, visit the OEI website at <http://www.epa.gov/oei>. For further information contact: Small Business Liaison, **Gene Stroup**, (202) 564-5716.

What's New in Chemical Accident Prevention

EPA's Chemical Emergency Preparedness and Prevention Office

Regulatory Developments

- ***Tier2 Submit Reporting Software Available***

We released *Tier2 Submit* in January, 2002. Tier II reports are required under the Emergency Planning and Community Right-to-Know Act (EPCRA) and provide information to state and local officials, responders, and the public on chemical inventories in covered facilities. *Tier2 Submit* is a free software program that facilities may choose to use for EPCRA Tier II submissions in states that allow the use of the software. *Tier2 Submit* and the accompanying user manual can be downloaded free of charge from the CEPPPO website:

<http://www.epa.gov/ceppo/tier2.htm#t2forms>

Site Security

- ***Chemical Accident Prevention Prevention: Site Security*** (EPA-K-550-F00-002, February 2000)

In light of September 11, EPA re-issued this alert which highlights sources of information to assist businesses in their efforts to have secure and accident-free operations.

- ***Site Security: Guidelines for the U.S. Chemical Industry*** (October 2001) and ***Transportation Security: Guidelines for the U.S. Chemical Industry*** (November, 2001)

Through a partnership of the American Chemistry Council (ACC), the Chlorine Institute, the Synthetic Organic Chemical Manufacturers Association (SOCMA), and National Association of Chemical Distributors (NACD), the chemical industry has published these guides related to site security. These guides (in Adobe Acrobat pdf format) are available from the partner trade association web sites. The American Chemistry Council (ACC) web site is www.americanchemistry.com and general phone number for ACC is (703) 741-5000. The Synthetic Organic Chemical Manufacturers Association (SOCMA) web site is www.socma.com. The Chlorine Institute's website is www.cl2.com. And, the National Association of Chemical Distributors (NACD) web site is www.nacd.com/index.cfm.

- ***Chemical Facility Vulnerability Assessment Methodology*** (June 2002)

The Department of Justice (DOJ) released a new tool to help companies that make or use chemical products assess potential security threats and vulnerabilities. The

tool will help these companies take further steps to enhance security at facilities and in neighborhoods across America. The twelve-step assessment methodology was developed by DOJ in partnership with the U.S. Department of Energy's Sandia National Laboratories, with the cooperation and assistance of chemical industry representatives. The methodology can be downloaded from the web site: <http://www.ojp.usdoj.gov/nij/pubs-sum/195171.htm>

CAMEOfm Software Available

We released *CAMEOfm* in May, 2002. *CAMEOfm* is a system of software applications used widely to plan for and respond to chemical emergencies. It is one of the tools developed by EPA's Chemical Emergency Preparedness and Prevention Office (CEPPO) and the National Oceanic and Atmospheric Administration Office of Response and Restoration (NOAA), to assist front-line chemical emergency planners and responders. *CAMEOfm* and the user manual can be downloaded free of charge from the CAMEO website: <http://www.epa.gov/ceppo/cameo/>

For additional information about EPA's risk management programs:

Visit the CEPPO Website: www.epa.gov/ceppo

Our publications are available (in Adobe Acrobat pdf format) from the website.

To order publications, Contact the National Service Center for Environmental Publications (NSCEP):

Online: www.epa.gov/ncepihom/orderpub.html

By E-Mail: ncepimal@one.net

By Fax: (513) 489-8695, 24 hours a day, 7 days a week.

By Phone: 1-800-490-9198 or in Cincinnati (513) 490-8190

For regulatory questions or to order publications, contact the RCRA, Superfund & EPCRA Call Center:

By Phone: 1-800-424-9346 or in DC metro area (703) 412-9810

TDD: 1-800-553-7672 or in DC metro area (703) 412-3323

Subscribe to our weekly e-mail updates:

- 5) Send an e-mail to: listserv@unixmail.rtpnc.epa.gov
- 6) Leave the subject area blank.
- 7) Type the following in the body of the message
subscribe EPA-CEPP Your First Name Your Last Name
- 8) Within 24 hours, you should receive confirmation.

Contact: **Breeda Reilly** at (202) 564-7983 or reilly.breeda@epa.gov



MACT Implementation Tools

What MACTs have tools available?

- Aerospace manufacturing and rework
- Consumer Products rule
- Flexible Polyurethane Foam
- Halogenated Solvents
- Large Appliances
- Municipal Solid Waste Landfills
- Off-Site Waste and Recovery Operations
- Perc Dry Cleaner
- Petroleum Refineries
- Polyether Polyols production
- Primary Aluminum
- Secondary Aluminum
- Wood Building Products
- Boat Manufacturing
- Ethylene Oxide Sterilizers
- General Provisions
- Hazardous Organic NESHAP
- Metal Can
- Municipal Waste Combustors
- Paper and Other Web Coating
- Pesticide Active Ingredient
- Pharmaceutical production
- Portland Cement
- Pulp and Paper I, II, & III
- Wood Furniture

Where can I find the MACT tools?

- **EPA's Air Toxics Website** www.epa.gov/ttn/atw/mactfnl.html
- **EPA's National Compliance Assistance Clearinghouse**
www.epa.gov/clearinghouse

State Websites

Some states have tools on their websites, for example:

Colorado http://www.cdphe.state.co.us/ap/rcs_main.html

Texas <http://www.tnrcc.state.tx.us/permitting/airperm/opd/63/63hmpg.htm>

Contact: Christine Adams at OAPQS (919) 541-5590 adams.christine@epa.gov



EPA's Small Business Innovation Research (SBIR) Program

The Environmental Protection Agency (EPA) is one of 10 federal agencies that participate in the SBIR Program established by the Small Business Innovation Development Act of 1982. The purpose of this Act was to strengthen the role of small businesses in federally funded R&D and help develop a stronger national base for technical innovation. **A small business is defined as a for profit organization with no more than 500 employees.** In addition, the small business must be independently owned and operated, not dominant in the field of operation in which it is proposing, and have its principal place of business located in the United States. Joint ventures and limited partnerships are eligible for SBIR awards, provided the entity created qualifies as a small business.

EPA issues annual solicitations for Phase I and Phase II research proposals from science and technology-based firms. EPA uses this phased approach to help determine whether the research idea, often on high-risk advanced concepts, is technically feasible, whether the firm can do high-quality research, and whether sufficient progress has been made to justify a larger Phase II effort. Research topics include nanotechnology and pollution prevention, water and air pollution control, management of solid and hazardous waste, environmental monitoring and measurement and bioterrorism detection and decontamination.

Under Phase I, the scientific merit and technical feasibility of the proposed concept is investigated. EPA plans to award firm-fixed-price Phase I contracts of **\$80,000** with up to 10 months performance periods. Phase II contracts are limited to small businesses that have successfully completed Phase I. The objective of Phase II is to further develop and commercialize the concept proven feasible in Phase I. Competitive awards are based on the results of Phase I, the Phase II workplan and the commercialization potential of the Phase II technology. EPA plans to conduct the Phase II solicitation during Phase I and award Phase II contracts of **\$225,000** or **\$325,000** at the end of the Phase I contract period.

EPA's next Phase I Solicitation will open on March 27, 2003 and will close on May 23, 2003. The Phase I SBIR Solicitation will be posted on the National Center for Environmental Research WEBSITE at:

<http://www.epa.gov/ncer/sbir>

Please note that last year's Phase I solicitation is still on the WEBSITE for informational purposes only. The solicitation includes a description of the program and typical research topic areas. This solicitation is also available by fax. If you need a fax copy of last year's solicitation or if you have any questions, please call the SBIR Helpline at:

1-800-490-9194



COMPLIANCE ASSISTANCE ACTIVITY PLAN FY 2002: AN INVENTORY OF EPA ACTIVITIES

EPA is committed to helping entities comply with regulatory requirements and improve environmental performance through compliance assistance. **Compliance assistance (CA)** is defined by EPA to include activities, tools or technical assistance which provide clear and consistent information for: 1) helping the regulated community understand and meet its obligations under environmental laws and regulations; or 2) compliance assistance providers to aid the regulated community in complying with environmental regulations. At least one objective of compliance assistance must be related to achieving or advancing regulatory compliance. Compliance assistance may also help the regulated community find cost-effective ways to comply with regulations and/or go "beyond compliance" through the use of pollution prevention, environmental management practices and innovative technologies, thus improving environmental performance.

EPA maintains an inventory of planned and ongoing CA activities known as the Compliance Assistance Plan Database (CAPD). Portions of this database are available to the public via the National Compliance Assistance Clearinghouse at: <http://www.epa.gov/clearinghouse> under the "Planned and Ongoing Activities" tab. EPA also uses CAPD to develop and publish a Compliance Assistance Activity Plan that inventories and analyzes EPA's planned CA activities. The Plan is available electronically at www.epa.gov/compliance/assistance/planning/index.html.

HIGHLIGHTS OF THE 455 ACTIVITIES IN CAPD AS OF FEBRUARY 12, 2002

- ▶ **Types of Activities** vary widely in scope and purpose. Tools Developed (39%) and Workshops/Training/Presentations (29%) account for nearly 70% of all planned CA activities.
- ▶ Many CA activities continue from year to year, such as telephone hotlines and Web sites. Hence a significant percentage (64%) are **ongoing** from the previous fiscal year.
- ▶ **73%** of CA activities are planned by Regions and **27%** are planned by Headquarters.
- ▶ For the first time, this Plan includes **CA activities that are funded by EPA grants to and cooperative agreements** with CA providers and stakeholders. These activities represent **17%** of the total activities reported in the FY 2002 Plan.
- ▶ EPA's planned CA activities address more than **30 chemical and pollutant categories**. Among the most frequently addressed categories are non-hazardous solid waste, oil, and solvents, accounting for 42% of activities. Other significant categories include pesticides, conventional water pollutants, and lead and lead compounds.
- ▶ 29 activities support previous or upcoming **Small Business Regulatory Enforcement Fairness Act (SBREFA)** or **economically significant regulations**.
- ▶ EPA's planned CA activities address more than **33 industry and government sectors**. About 33% of activities impact more than one sector. **Federal, state and local governments** are among the most frequently addressed sectors and account for about one-third of all planned activities. Among industry sectors, **small business** is the most frequently addressed and accounts for about 7% of all activities. Other frequently addressed sectors include: tribal, metal services/finishers, utilities, auto repair/service, chemical (general) and petroleum.

For more information, contact Rebecca Barclay at (202) 564-7063.

U.S. EPA National Compliance Assistance Providers Forum 2002
"Optimizing Resources for Environmental Results"



Please join environmental assistance providers from across the country at the 2002 U.S EPA National Compliance Assistance Providers Forum (Forum) on December 4-6, 2002 at the Adam's Mark Hotel, San Antonio, Texas. This year's Forum is all about "Optimizing Resources for Environmental Results." This will be a great opportunity to learn from the public (federal, state, local, tribal governments) and private sectors (industry, trades, nonprofits, academics) about real life environmental compliance successes and challenges, upcoming compliance tools, and new ideas to reach and expand your client base. There will be non-stop activity of plenary and breakout sessions, roundtable discussions, exhibits, PC-demos, social events and field trips.

This agenda for this year's Forum contains four themes:

- building on the skills and strengths of environmental assistance providers
- designing a program to provide the best service
- linking compliance assistance with other environmental programs and incentives
- determining whether your program is making a difference

To get the most up-to-date information about the Forum, sign up now on the Forum website at <http://www.mng-ltd.com/caforum/index.htm>. Registration begins in early August.

There will be **no registration fee** for the Forum, so plan to spend some of your winter days in the warm climate.

Contact: Sandi Jones, 202/564-7038



Access the Compliance Assistance Centers at www.assistancecenters.net

CCAR-GreenLink®

Helps the automotive service and repair community identify flexible, common sense ways to comply with environmental requirements. www.ccar-greenlink.org



ChemAlliance

Provides innovative Web site features to direct chemical manufacturers to information resources and plain-language compliance assistance material. www.chemalliance.org



Local Government Environmental Assistance Network (LGEAN)

Serves as a "first-stop-shop" by providing environmental management, planning, and regulatory information for local government officials, managers, and staff. www.lgean.org



National Agriculture Compliance Assistance Center (Ag Center)

Serves as the "first stop" for information about environmental requirements that affect the agriculture community. www.epa.gov/agriculture
(This is a government run center)



National Metal Finishing Resource Center (NMFRC)

Provides comprehensive environmental compliance, technical assistance, and pollution prevention information to the metal finishing industry. www.nmfrc.org



The U.S. Environmental Protection Agency has sponsored partnerships with industry, academic institutions, environmental groups, and other federal and state agencies to establish Compliance Assistance Centers for ten industry and government sectors.

If you own a small business in one of these sectors, these resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply.

Paints and Coatings Resource Center

Provides regulatory compliance and pollution prevention information to organic coating facilities, industry vendors and suppliers, and others. www.paintcenter.org



Printed Wiring Board Resource Center

Provides regulatory compliance and pollution prevention information to printed wiring board manufacturers, industry vendors and suppliers, and others. www.pwbr.org



Printers' National Environmental Assistance Center (PNEAC)

Provides compliance and pollution prevention fact sheets, case studies, and training, as well as two e-mail discussion groups on technical and regulatory issues. www.pneac.org



Transportation Environmental Resource Center (TERC)

Provides compliance assistance information for each mode of transportation - air, shipping and barging, rail, and trucking. www.transource.org



Fed Site

Serves as the "first stop" for information about environmental laws and regulations that affect Federal departments and agencies. www.epa.gov/beca/fed/fac/fca
(This is a government run center)



For more information, contact Tracy Back, 202-564-7076 or e-mail: back.tracy@epa.gov

What's New With The Centers?

The Centers are continually developing new features to better serve their customers. Be sure to explore the new Center developments!

Making and Impact On Protecting Public Health, Environment

Compliance Assistance Centers

A recent survey of the EPA-partnered Compliance Assistance Centers revealed that more than 90 percent of center users said that the centers helped them understand environmental regulations, while 73 percent noted that they actually took some action, such as reaching compliance with an environmental regulation or changing their handling of wastes or emissions, after using the centers.

The online survey, conducted at all 10 centers last fall, measured use and impact on center users. The survey showed that 71 percent of technical assistance providers responded that the centers enabled them to take a variety of actions as a result of using a center to help clients reach compliance, identify pollution prevention opportunities, or obtain a permit or certification. The survey also revealed that 85 percent of center users said actions taken resulted in reduced environmental harm and risk, waste, wastewater, and air emissions, or conserved water, energy and other natural resources. Sixty-nine percent of center users who were able to assess costs related to actions indicated they achieved some kind of cost savings.

"SP/2" On-Line Training Available To Automotive Industry



The Coordinating Committee For Automotive Repair (CCAR), which operates "CCAR-GreenLink®," has launched a new online training program in Safety and Pollution Prevention, called "S/P2." CCAR rolled out the S/P2 program January 1, 2002 to all automotive technical and career centers. S/P2 has already been adopted by more than 500 automotive programs! Over 29,000 students have S/P2 available thanks to industry support.

ChemAlliance Has A New Look - And More



Visit ChemAlliance's updated content and improved, "cleaner" menu. ChemAlliance has added new stops and new features to the Virtual Plant Tour. In addition to updated compliance and regulatory information, the Plant Tour now contains more than 352 pollution prevention case studies and 204 good management practices, each linked to specific process operations and site locations where they can be applied. And ChemAlliance's new "email this to a friend" feature makes it easier than ever to share regularly updated news features with co-workers and colleagues.

New From the National Agriculture Compliance Assistance Center (Ag Center)



Visit the Ag Center to obtain new EPA publications:

- "Profile of the Agricultural Crop Production Industry"
- "Profile of the Agricultural Livestock Production Industry"
- "Profile of the Agricultural Chemical, Pesticide, and Fertilizer Industry"
- "What to Expect When EPA Inspects Your Livestock Operations"
- "Review of Pesticides and Pesticide Registrations"
- "Children and Consumers"
- "Q&A's on Posting When the Treated Plant or Soil Has Been Sold or Moved"
- "Q&A's on Central Posting on Large or Non-contiguous Establishments"
- "Information Commercial Handlers Must Provide to Growers When the Pesticide is not Applied as Scheduled"

New Publication From the Printers National Environmental Assistance Center (PNEAC)

Don't miss PNEAC's new "Persistent, Bioaccumulative, and Toxic Chemicals; A Printers' Road Map" fact sheet and learn how the new Toxic Release Inventory (TRI) reporting requirements affect the printing sector.

EPA POLICIES ASSIST SMALL BUSINESSES WITH ENVIRONMENTAL COMPLIANCE

EPA's Office of Enforcement and Compliance Assistance (OECA) has recently revised the following policies to respond to the environmental compliance needs of small business: *Policy on Compliance Incentives for Small Business*, and the *Final Policy on Environmental Self-Auditing and Self-Disclosure*. The *Enforcement Response Policy* was not modified. Under these policies, the Agency will protect public health and the environment by providing small businesses with incentives to proactively pursue environmental compliance and pollution prevention activities. These policies are briefly described below.

SMALL BUSINESS COMPLIANCE POLICY

EPA issued the revised *Small Businesses Compliance Policy*, effective May 11, 2000, to provide small businesses with incentives to participate in compliance assistance activities and programs, or conduct environmental audits. This policy supersedes the June 1996 version and expands upon EPA's 1994 Enforcement Response Policy under the Clean Air Act Section 507. The policy implements, in part, the Executive Memorandum on Regulatory Reform (60 FR 20621, April 26, 1995) and Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (signed into law on March 29, 1996) (SBREFA). Under this policy, EPA will eliminate or reduce civil penalties provided the small business satisfies all of the following four criteria:

- The small business has voluntarily discovered a violation. These may be discovered by the business by participating in compliance assistance programs, mentoring, use of checklists from the Internet or by voluntary audits.
- The small business voluntarily discloses the violation within 21 days. This disclosure must be sent in writing to the regulatory agency. Businesses may disclose to the EPA Region or to the appropriate State and Tribal agencies if they have similar policies.
- The small business corrects the violation and remedies any associated harm within 180 days of discovery; an additional 180 days may be granted if pollution prevention technologies are being used.
- The small business has not used this Policy or been subject to enforcement action for the same or similar violation in the past three years and has not been subject to two or more enforcement actions for environmental violations in the past five years. The violation has not caused serious harm to public health, safety, or the environment; it does not present imminent and substantial endangerment to public health or the environment; and it does not involve criminal conduct.

Please see the actual Policy for more specifics on the criteria and on violations that are ineligible. Information about using the Policy, questions and answers, and the types of violations that have been disclosed will be posted and periodically updated on the website. For more specific information on this policy, contact **Ann Kline**, Office of Compliance, at (202) 564-0119 or visit <http://www.epa.gov/oeca/smbusi.html>.

POLICY ON ENVIRONMENTAL SELF-POLICING

EPA issued the revised Final Policy on "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" in the Federal Register on April 11, 2000 (65 Fed. Reg. 19,617). Commonly referred to as the EPA Audit Policy, it provides regulated entities of all sizes with incentives to voluntarily discover, disclose, and correct violations of environmental laws and requirements. Under the Audit Policy:

- EPA will not seek gravity-based penalties from entities that systematically discover potential environmental violations, promptly disclose them to EPA, expeditiously correct them and meet all other conditions of the Policy.
- For entities that disclose violations that were not systematically discovered, EPA will reduce gravity-based penalties by 75% provided all other Policy conditions are met.
- EPA will generally not recommend criminal prosecution for entities that discover, promptly disclose, and expeditiously correct violations which are potentially criminal, provided all other Policy conditions are met.

The Policy excludes repeat violations, violations that result in serious actual harm and violations that may present an imminent and substantial endangerment. EPA retains its discretion to recover any economic benefits realized as a result of noncompliance.

Issuance of the revised Policy followed a two-year evaluation of the 1995 Audit Policy. Key revisions include lengthening the period for prompt disclosure from 10 to 21 days, clarifying that the Audit Policy is available in the multiple-facility context, and clarifying how the prompt disclosure and repeat violation conditions apply in the acquisitions context.

For more information on this policy, contact **Jon Silberman** at (202) 564-2429.

ENFORCEMENT RESPONSE POLICY

EPA issued the *Enforcement Response Policy*, effective August 12, 1994, to provide small businesses with a limited grace period to correct violations revealed during requested assistance from a State Small Business Assistance Program (SBAP) established under Section 507 of the Clean Air Act. Under the policy, two options are provided:

- SBAPs may offer small businesses a limited correction period for violations detected during compliance assistance. Small businesses may have up to 90 days to receive compliance assistance from the SBAPs, with the possibility of an additional 90 days to correct any violations discovered under the program. After that time, violations would be subject to existing enforcement policies.
- SBAPs may offer compliance assistance on a confidential basis. Under this option, the state retains the ability to investigate and/or take enforcement actions at any time for violations discovered independently from the Section 507 program. Under the Small Business Compliance Policy, small businesses that receive confidential assistance from the SBAP may receive a correction period if the small business voluntarily discloses the violation to the appropriate regulatory agency. For more information on this policy, contact **Ann Kline** at (202) 564-0119.

For copies of these policies, call (800) 368-5888 and ask for Item 13.

EPA'S REVISED AUDIT POLICY – Effective May 11, 2000

General Information

Formal Title: “Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations”

Citation: 65 FR 19,617 (April 11, 2000)

Web Site: www.epa.gov/oeca/auditpol.html

Purpose – To encourage regulated entities to voluntarily discover, disclose, correct and prevent violations of Federal environmental requirements

Incentives Available Under the Audit Policy

Penalty mitigation – Entities that meet all of the conditions contained in the Audit Policy are eligible for 100% mitigation of all gravity-based penalties. Entities that meet all of the conditions except for “systematic discovery” of violations are eligible for 75% penalty mitigation. EPA retains its discretion to collect any economic benefit that may have been realized as a result of noncompliance.

No recommendation for criminal prosecution – For entities that disclose violations of criminal law and meet all applicable conditions under the Policy, the Agency will refrain from recommending criminal prosecution for the disclosing entity.

No routine requests for audit reports – In general, EPA will not request audit reports from those who disclose under the Audit Policy.

To Make a Disclosure Under the Audit Policy

Disclosures of civil violations should be made to the EPA Region in which the entity or facility is located or, where multiple Regions are involved, to EPA Headquarters. For more information, contact Leslie Jones at 202-564-5123.

Disclosures of criminal violations should be made to the appropriate EPA criminal investigation division, to EPA Headquarters, or to the U.S. Department of Justice. For more information, contact Michael Penders at 202-564-2526. **Conditions of the Audit**

Policy – Entities that satisfy the following conditions are eligible for Audit Policy benefits. (Note: entities that fail to meet the first condition – systematic discovery – are eligible for 75% penalty mitigation and for no recommendation for criminal recommendation).

Systematic discovery of the violation through an environmental audit or a compliance management system.

Voluntary discovery, that is, not through a legally required monitoring, sampling or auditing procedure.

Prompt disclosure in writing to EPA within 21 days of discovery or such shorter time as may be required by law (discovery occurs when any officer, director, employee or agent of the facility has an objectively reasonable basis for believing that a violation has or may have occurred).

Independent discovery and disclosure, before EPA likely would have identified the violation through its own investigation or based on information provided by a third-party.

Correction and remediation within 60 calendar days, in most cases, from the date of discovery.

Prevent recurrence of the violation.

Repeat violations are ineligible, that is, those that have occurred at the same facility within the past 3 years or those that have occurred as part of a pattern of violations within the past 5 years at another facility(ies) owned or operated by the same company; if the facility has been newly acquired, the existence of a violation prior to acquisition does not trigger the repeat violations exclusion.

Certain types of violations are ineligible – those that result in serious actual harm, those that may have presented an imminent and substantial endangerment, and those that violate the specific terms of an administrative or judicial order or consent agreement.

Cooperation by the disclosing entity is required.

For more information on this policy, contact **Jon Silberman** (202) 564-2429.

EPA's Small Business Compliance Policy

Background and Purpose

- This Policy promotes environmental compliance among small businesses by providing them with special incentives. EPA will eliminate or reduce penalties for small businesses that voluntarily discover, promptly disclose, and correct violations in a timely manner.
- EPA wants to encourage small businesses to learn about environmental compliance and pollution prevention through the wide range of training, checklists, mentoring, and other activities now available to small businesses through regulatory agencies, private organizations, non-profit organizations, and the Internet. Therefore small businesses that voluntarily discover a violation because they utilized these types of activities may have the penalty eliminated if they meet all the criteria in the Policy.

Effective Date and Citation

- This Policy is effective May 11, 2000 and supersedes the June 1996 version. It was published in the Federal Register on April 11, 2000, 65 FR 19630.

Who Qualifies to Use this Policy

- For purposes of this Policy, a small business is defined as a person, corporation, partnership, or other entity that employs 100 or fewer individuals across all facilities and operations owned by the entity. Entities can also include small governments and small organizations.

How to Qualify for Penalty Elimination or Reduction

- EPA will eliminate the entire civil penalty* if a small business satisfies all four of the criteria below:
 - ❶ The small business voluntarily discovers a violation. Violations could be discovered after attending training classes or seminars, receiving on-site compliance assistance, participating in mentoring programs, or using compliance guides or checklists downloaded from the Internet.
 - ❷ The small business voluntarily discloses the violation within 21 days. This disclosure must be sent in writing to the regulatory agency.
 - ❸ Corrections Period -- the business corrects the violation and remedies any damage associated with the violation within 180 days of its discovery. However, if the correction will take longer than 90 days, a written schedule will be necessary. For small businesses that are correcting the violation by using pollution prevention technologies, they may have an additional period of 180 days, i.e., up to a period of 360 days.
 - ❹ The Policy applies if the:
 - a. violation has not caused actual serious harm to public health, safety, or the environment;
 - b. violation is not one that may present an imminent and substantial endangerment to public health or the environment;
 - c. violation does not involve criminal conduct;
 - d. facility has an appropriate compliance record. The small business hasn't used this Policy for a violation of the same or similar requirement within the past 3 years and has not been subject to two or more enforcement actions for any environmental violations in 5 years; and
 - e. violation has not already been discovered by the Agency through inspections or citations, or other methods. A legally required monitoring procedure was not violated.

Please see the actual Policy for more specifics on the criteria and on violations that are ineligible.

- *In the rare instance where the small business has obtained a significant economic benefit from the violation(s) (i.e., economic advantage over its competitors), EPA will waive 100% of the gravity component of the civil penalty, but may seek the full amount of any economic benefit associated with the violations. As of March 2000, EPA has never sought to collect economic benefit since this Policy was originally issued in 1996.

Applicability to States

- EPA will defer to comparable State and Tribal Policies if they are generally consistent with this Policy.

For More Information contact Ann Kline at 202-564-0119 or visit <http://www.epa.gov/oeca/smbusi.html>

Information about using the Policy, questions and answers, the types of violations that have been disclosed and any disclosures that have prompted EPA to collect economic benefit will be posted and periodically updated on the website.

Listed below are the regional contacts for the Policy and small business issues. The Small Business Liaisons may also be able to provide more general information on compliance assistance and this Policy.

EPA Regional Contacts

	Policy Contacts		Small Business Liaison	
Region 1:	Joel Blumstein Sam Silverman	617-918-1771 617-918-1731	Dwight Peavey	617-918-1829
Region 2:	Daniel Kraft	732-321-6669	Ronald Lockwood	212-637-3918
Region 3:	Janet Viniski Lydia Isales	215-814-2999 215-814-2648	David Byro	215-814-5563
Region 4:	Angela Blackwell Bill Anderson Carol Baschon	404-562-9527 404-562-9680 404-562-9528	Annette Hill	404-562-8287
Region 5:	Bertram Frey Tinka Hyde Jodi Swanson-Wilson	312-886-1308 312-886-9296 312-886-0879	Glynis Zywicki	312-886-4571
Region 6:	Marcia Moncrieffe Efren Ordonez Charles Sheehan	214-665-7343 214-665-2181 214-665-2175	David Gray	214-665-2200
Region 7:	Becky Dolph	913-551-7281	Jan Lambert	913-551-7768
Region 8:	David Rochlin	303-312-6892	Maureen Kiely	303-312-6262
Region 9:	Leslie Guinan George Hays Brian Riedel	415-744-1339 415-744-1399 415-744-1380	Mark Samolis	415-744-2331
Region 10:	Jackson Fox Meg Silver Adan Schwartz	206-553-1073 206-553-1476 206-553-0015	Robyn Meeker	206-553-7154

SBCP Fact Sheet June 2000

SMALL BUSINESS DIVISION
Small Business Ombudsman Regulatory Assistance and Outreach Program

<u>FTE Employees:</u>	<u>Title</u>	<u>Contact #</u>	<u>New Contact#s Effective 8/19/02</u>
Karen Brown	Division Director & Small Business Ombudsman	202-260-1390	202-566-2816
Angela Suber	Program Analyst	202-260-7205	202-566-2827
Daniel Eddinger	Program Analyst	202-260-1133	202-566-2820
Tracy Mattson	Program Analyst	202-260-8210	202-566-2823
Elsa Bishop	Program Analyst	202-260-0082	202-566-2814
Catherine Tunis	Regulatory Impact Analyst	202-260-2698	202-566-2830
Bridgette Dent	Program Assistant	202-260-2087	202-566-2819
Joyce Billious	Secretary	202-260-1968	202-566-2813

SEE Employee:

James Malcolm	Chemical Engineer, Toxic Substances and Haz Mat	202-260-1616	202-566-2821
Larry Tessier	Civil Engineer, Asbestos, Radon, and Lead	202-260-1946	202-566-2829
Tom Nakley	Civil Engineer, CWA, SDWA and General Assist.	202-260-1863	202-566-2826
William Crosswhite	Economist, Pesticides and Agriculture	202-260-6804	202-566-2817
Howard Boddie	Computer Specialist	202-260-1557	202-566-2815
Esther McCrary	Senior Secretarial Support Staff	202-260-1775	202-566-2824
Peggy Alexandria	Senior Secretarial Support Staff	202-260-1474	202-566-2811

Major Functions/Products

- Serve as a port of entry for small businesses to EPA
- Advocate for small business regulatory issues and relief inside EPA
- Coordinate small business issues with program offices, regions, and states
- Focus on Asbestos regulatory requirements/handle questions and complaints
- Operate and maintain a Small Business hotline the averages, 1,100 calls per month
- Participate on regulatory development workgroups representing small business interests
- Prepare semi-annual Newsletter that reaches over 20,000 internal and external customers
- Organize meeting with the Deputy Administrator and Small Business Trade Associations
- Oversee and prepare Report to Congress on the status of CAAA State Section 507 Programs
- Manage contracts, grants and cooperative agreements to strengthen State Small Business Ombudsman Technical Assistance Programs
- Sponsor Annual Small Business Regional Liaison Conference
- Develop guidance and policies for small businesses
- Resolve disputes between small businesses and EPA dealing with policies and regulations
- Distribute small business publications, regulations, guidance, and tools

Customers:

- Small Businesses/Small Business Trade Associations
- State Small Business Ombudsmen and Technical Assistance Programs
- EPA senior managers, media offices and agency staff, EPA regions and states offices
- Individual citizens
- EPA Deputy Administrator
- Congressional representatives and staff, Governors, Environmental Counsel of States (ECOS)
- Assistance providers, i.e., EPA Compliance Centers, Pollution Prevention Programs (P2), Small Business Development Centers (SBDCs), Manufacturing Extension Partners (MEPs)

Small Business Ombudsman Toll Free Hotline 800-268-5888 (New # effective 8/19/02 800-566-2855 or 2975)

Main Line 202-260-0490 (New # effective 8/19/02 202-566-2822)

FAX Number 202-401-2302 (New # effective 8/19/02 202-566-0952 or 0954)

July 2002

SMALL BUSINESS CONTACTS AND PROJECTS BY EPA OFFICE

Office of Air and Radiation

Air Control Technology Assistance Center	919-541-0800
Dennis Doll (Satellite Broadcasts/Training)	919-541-5693
Dona Canales-Higgins (Energy Star - Small Business)	202-564-1353
Jerry Lawson (Energy Star - Small Business)	202-564-9314
Kim Teal (Coatings Rules)	919-541-5580
Lalit Banker (Federal Small Business Assistance)	919-541-5420
State SBO/SBAP CAAA Section 507 Contacts	Separate listing
Tom Eagles (General)	202-564-1952

Office of Water

Carey Johnston, Lead (Metal Products and Machinery Rule)	202-566-1014
Deborah McCray (Small Systems & Tech. Assist Ctrs-(TACs)	202-564-3843
Jan Pickrel (Pretreatment Streamlining Rule)	202-564-7904
Jim Horne (EMS)	202-564-0571
John Flowers (WAVE Program)	202-564-0624
Kitty Miller (General)	202-564-0474
Marta Jordan (Concentrated Aquatic Animal Production)	202-566-1049
Ron Jordan (Concentrated Animal Feeding Operations,CAFO)	202-566-1003
Shari Barash, Alternate (Metal Products and Machinery Rule)	202-566-0996
Tom Grubbs (Stage 1 DBPR Small Systems Compliance Guide)	202-564-5262
Wendy Bell (Stormwater Permits/Phase II)	202-564-0746

Office of Prevention, Pesticides & Toxic Substances

Angela Hofmann (Steering Committee)	202-564-0258
Beth Anderson (Pollution Prevention Resource Exchange)	202-564-8901
Bob Torla (Biopesticides Ombudsman)	703-308-8098
Chris Kent (Pollution Prevention/P2 State Coordinator)	202-564-8842
David Giamporcaro (OPPT Industry/Small Business Liaison)	202-564-8107
Deborah Savage (Tellus Institute/Environmental Accounting)	617-266-5400
Frank Neumann (OPPT Small Business Liaison)	202-564-8823
John Cross (Pollution Prevention)	202-564-8844
John Myers (Reg-in-a-Box)	202-564-8624
Karen Chu (Design for the Environment)	202-564-8773
Lena Ferris (Pollution Prevention)	202-564-8831
Linda Arrington (Pesticides Ombudsman)	703-305-5446
Michael Hardy (Antimicrobial Ombudsman)	703-308-6432
Priscilla Flattery (General)	202-564-2718
Sandy Evalenko (SBREFA Panels)	202-564-0264
State P2 Technical Assistance Programs	Separate listing

Office of Solid Waste and Emergency Response

Breeda Reilly (112r Risk Management Plans, EPCRA 311-312, and Integrated Contingency Plan—"One Plan")	202-564-7983
Carolyn Offutt (Superfund Brochures)	703-603-8797
David Nicholas (General)	202-260-4512
Gerain Perry (Steering Committee)	202-260-4478
Linda Garczynski (Brownsfield)	202-260-1223
Patricia Washington (OSWER Brochures)	703-308-0497
Regional RCRA Ombudsmen	Separate listing
Regional Superfund Ombudsman	Separate listing
Terry Grist (Recycling)	703-308-7257
Sammy Ng (Underground Storage Tanks)	703-603-7166

Office of Enforcement and Compliance Assurance

Ann Kline (Small Business Policy)	202-564-0119
Ann Stephanos (SBREFA 222 RegFair program)	202-564-4006
Barry Hill (Environmental Justice)	202-564-2515
Beth Cavalier (Supplemental Environmental Compliance)	202-564-3271
Catherine Dunn (Audit Policy)	202-564-2629
David Nielsen (UST Enforcement)	202-564-4022
Fran Jonesi (SBREFA 213- & 223)	202-564-7043
Gary Jonesi (Y2K Enforcement)	202-564-4002
Gerard C. Kraus (Steering Committee)	202-564-6047
James Edward (Compliance Assistance General)	202-564-2462
Joanne Berman (Compliance Assistance Plan)	202-564-7064
Karin Leff (Compliance Assistance-Cross Cutting Issues)	202-564-7068
Lynn Vendinello (Performance Measurement)	202-564-7066
Milton Robinson (Paperwork Reduction)	202-564-2538
Richard Satterfield (Audit Protocols)	202-564-2456
Robert Knox (Environmental Justice)	202-564-2515
Tracy Back (Compliance Assistance Centers)	202-564-7076

Office of Research and Development

Connie Bosma (Steering Committee)	202-564-6773
Jim Gallup (Small Business Innovative Research (SBIR)	202-564-6823
Steve Lingle (General)	202-564-6820
Theresa Harten (Environmental Technology Verification	513-569-7565

Office of Congressional and Intergovernmental Relation

James McDonald (Small Business Issues)	202-564-9942
Mark Stevens (Legislative Counsel)	202-564-3707
Paul Guthrie (Steering Committee)	202-564-3649

Office of General Counsel

Bob Ward (Alternative Dispute Resolution)	202-564-2911
Chris Kirtz (Dispute Resolution/Reg-Neg)	202-564-2912
Debbie Dalton (Dispute Resolution/Reg-Neg)	202-564-2913
Mark Kataoka (R.A./SBREFA & Cross-cutting Issues)	202-564-5584

Office of Administration and Resources Management**Office of Acquisition Management**

Corrine Sisneros (Competition Advocate)	202-564-4321
Judy F. Davis (Director., Office of Acquisition Management)	202-564-4310
Len Bechtel (Steering Committee)	202-564-1867

Office of Small and Disadvantaged Business Utilization

Elaine Rice (National Training Officer)	202-564-4141
Jeanette Brown (Procurement Opportunities)	202-564-4100
Trina Porter (Procurement Opportunities)	202-564-4322

Office of Environmental Information

Alan Margolis (Confidential Business Information (CBI) Rule)	202-566-1644
Amy Newman (TRI Outreach and Web Issues and TRI Regional and State Coordination)	202-566-0723
Bruce Madariaga (Small Business Economic Impact Assessment for TRI Rules)	202-566-0650
Bruce Schillo (TRI Reporting Issues)	202-564-6552
Christine Augustyniak (Small Business Economic Impact Assessment for TRI Rules)	202-566-0634
Connie Dwyer (Central Data Exchange)	202-566-1691
Constance Downs (Information Strategies, Office of Information Collection)	202-566-1640
Gail Froiman (PBT Rule Implementation Guidance)	202-566-0677
Gene Stroup (Small Business Liaison)	202-564-5716
I Mei Chan (Steering Committee)	202-564-0371
John Dombrowski (TRI Compliance Assistance and TRI Regulations)	202-566-0742
Rick Westlund (Information Collection Requests-ICRs-/ Paperwork Reduction Act)	202-566-1682

Office of State/Local Relations

Andy Hanson (Small Communities)	202-564-3664
Jim Wieber (Small Entities)	202-564-3662
Steve Wilson (Small Towns)	202-564-3646

Office of Policy, Economics and Innovation

Al McGartland (Nat'l Center for Environmental Economics)	202-566-2244
Alexander Cristofaro (Reg Review Captain)	202-564-7253
Angela Suber (Outreach and Assistance Coordinator)	202-260-7205
Bill Crosswhite (Pesticides and Agriculture)	202-260-6804
Brett Snyder (Small Business Economics)	202-566-2261
Cheryl Hawkins (Speech Writer/General)	202-564-6671
Chris Knopes (Project XL)	202-566-2165
Daniel Eddinger (Program Analyst/Air)	202-260-1133
Elsa Bishop (Marketing Communities & Training)	202-260-0082
Geoff Anderson (Smart Growth)	202-260-2769
George Wyeth (Environmental Management Systems)	202-566-2203
Gerald Filbin (Community-based Environmental Protection)	202-566-2182
Jay Benforado (Reinvention and Innovation)	202-564-4332
Jim Malcolm (Hazardous Waste/TRI-EPCRA)	202-260-1616
Joan Crawford (Small Business Issues)	202-564-6568
Julie Spyres (Performance Track)	202-260-6787
Karen Brown (Small Business Ombudsman, Small Business Activities & CAA 507 Programs)	202-260-1390
Karen Burgan (Communications & Outreach)	202-564-6557
Ken Munis (Steering Committee)	202-564-6581
Lanelle Wiggins (Economist–Natl. Ctr for Env. Economics)	202-566-2372
Larry Tessier (Asbestos/Lead/Radon/SBO Web Page)	202-260-1946
Pat Bonner (Customer Service & Public Involvement Policy)	202-566-2204
Paul Lapsley (Regulatory Management Issues)	202-564-5480
Phil Schwartz (Regulatory Agenda & Plan)	202-564-6564
Robert Benson (Industry Sector Based Partnership Programs)	202-260-8668
Tracy Mattson (Regulatory and Policy Development)	202-260-8210
Sandy Germann (Speech Writer/Innovations)	919-541-3061
Stuart Miles-McLean (Regulatory Review)	202-564-6581
Tom McCully (Small Business Legislative Issues)	202-564-6582
Tom Kelly (R.A./SBREFA Small Business Advocacy Chair)	202-564-4000
Tom Nakley (Water)	202-260-1863
Tim Stuart (PETAP & EMS)	202-260-0725

Regional Liaisons

Annette Hill	(Region 4)	404-562-8287
David Byro	(Region 3)	800-228-871/(215) 814-5563
David Gray	(Region 6)	800-887-6063/214) 665-2200
Dwight Peavey	(Region 1)	617-918-1829
Glynis Zywicki	(Region 5)	312-886-4571
Jan Lambert	(Region 7)	913-551-7768
Mark Samolis	(Region 9)	415-947-4273
Maureen Kiely	(Region 8)	303-312-6262
Robyn Meeker	(Region 10)	206-553-7154
Ronald Lockwood	(Region 2)	212-637-3413

Regional Regulatory Contacts

Alice Todd	(Region 7)	913-551-7304
Annette Hill	(Region 4)	404-562-8287
Elizabeth Armour	(Region 9)	415-947-4264
Leticia Lane	(Region 6)	214-665-7202
Marilyn Fisher	(Region 3)	215-814-5263
Olga Maisonet	(Region 2)	212-637-3572
Robyn McCarville	(Region 1)	617-918-1182
Robyn Meeker	(Region 10)	206-553-7154
Sonya Moore	(Region 8)	303-312-6825
Terry Stanuch	(Region 5)	312-886-8044

Compliance Assistance Coordinator

Angela Baranco	(Region 9)	415-947-4262
Bonnie Romo	(Region 6)	214-665-8323
Carol Levalley	(Region 7)	913-551-7610
Janet Viniski	(Region 3)	215-814-2999
John Gorman	(Region 2)	212-637-4008
Linda Mangrum	(Region 5)	312-353-2071
Liz Rogers	(Region 8)	303-312-6974
Mary Dever	(Region 1)	617-918-1717
Patty Jackson	(Region 4)	404-562-9682
Robyn Meeker	(Region 10)	206-553-7154

WHERE TO CALL FOR MORE INFORMATION AND HELP

EPA SMALL BUSINESS OMBUDSMAN

Toll Free
(800) 368-5888

Local and DC Area
(202) 260-1211

T.D.D.
(202) 260-1258

Fax
(202) 401-2302

smallbiz.ombudsman@epa.gov

Homepage www.epa.gov/sbo

asbestos.ombudsman@epa.gov

EPA Web Pages and Hotlines

Phone Number

- National Service Center for Environmental Publications 800-490-9198
(www.epa.gov/ncepihom/) 513-489-8190
- Indoor Air Quality Information Clearinghouse 800-438-4318
(www.epa.gov/iaq/)
- Radon 800-767-7236
(www.epa.gov/iaq/radon/)
- EPA Energy Star 888-782-7937
(www.energystar.gov)
- Clean Air Technology Center 919-541-0800 (English)
(www.epa.gov/ttn/catc/) 919-541-1800 (Spanish)
- Office of Transportation and Air Quality 734-214-4333
(www.epa.gov/omswww/)
- Emission Measurement Center 919-541-0200
(www.epa.gov/ttn/emc/)
- Stratospheric Ozone Information 800-296-1996
(www.epa.gov/ozone/)
- Acid Rain (emission trading, auctions, Information) 202-564-9620
(www.epa.gov/airmarkets/)
- Safe Drinking Water Hotline 800-426-4791
(www.epa.gov/safewater/)
- National Small Flows Clearinghouse (WV Univ) 800-624-8301
(www.nsfrc.wvu.edu/)
- Storm Water Phase II Information 202-260-7786
(www.epa.gov/owm/sw/phase2/index.htm)
- Water Resource Center 202-260-7786
- National Solid & Hazardous Waste Ombudsman 800-262-7937
Washington Metro Area 202-260-9361
- Wetlands Information 800-832-7828
(www.epa.gov/owow/wetlands/)
- U.S. EPA RCRA, Superfund & Underground Storage Tanks Hotline 800-424-9346
Washington Metro Area 703-412-9810
(www.epa.gov/epaoswer/hotline/index.htm)
- Emergency Planning & Community Right to Know Title III (EPCRA) 800-424-9346
- Toxic Substance Control Act (TSCA) Information Service 202-554-1404
- Office of Pesticide Program Registration Division (Ombudsman) 703-305-5446
(www.epa.gov/pesticides/)
- Bio-Pesticide Contact 703-305-7973
www.epa.gov/pesticides/biopesticides/
- National Pesticide Telecommunications Network 800-858-7378
(<http://ace.orst.edu/info/nptn>)
- EPA Waste Wise/Waste Reduction 800-372-9473
(www.epa.gov/wastewise/)
- Office of Environmental Justice Information Line 800-962-6215
- Office of Pollution Prevention & Toxics 202-554-1404
(www.epa.gov/opptintr/)
- Chemical Emergency Preparedness & Prevention Office 202-564-8600
(CEPPO) Small Business Liaison
(www.epa.gov/ceppo/)
- Small Business Innovation Research (SBIR) 800-490-9194
(<http://es.epa.gov/ncercq/sbir>)
- EPA Inspector General (IG) 888-546-8740
(www.epa.gov/oigearth/)
- Compliance Assistance Centers 202-564-7076
(<http://es.epa.gov/oeca/main/compasst/compcenters.html>)
- Small and Disadvantaged Business Utilization 202-564-4100
(www.epa.gov/osdbu/)

OTHER WEBSITES & HOTLINES

Phone Number

- Small Business Environmental Home Page (412) 577-2649
(www.smallbiz-enviroweb.org)
- Recycling Hotline (800) 253-2687
(www.recycle.net/recycle)
- National Technical Information Service (NTIS) (800) 553-6847
(www.ntis.gov) (703) 605-6000
- National Response Center for reporting oil spills and hazardous
substance releases (800) 424-8802
Washington Metro Area (202) 267-2675
(www.nrc.uscg.mil)
- Department of Energy (DOE)--National Alternative Fuels Hotline (800) 423-1363
(www.afdc.nrel.gov)
- Energy-efficiency & Renewable Energy Clearinghouse (800) 363-3732
(Operated by the DOE)
(www.eren.doe.gov)
- DOT--Hazardous Materials. (800) 467-4922
(<http://hazmat.dot.gov>)
- CHEMTREC Chemical Transportation Emergency Line, operated by (800) 262-8200
Chemical Manufacturers Association
([Http://chemtrec.org](http://chemtrec.org))
- Center for Management Courses on ISO 9000/14000 (800) 745-5565
www.ceem.com
- National Lead Technical Information Center (800) 424-5323
(www.epa.gov/lead/nlic.htm)
- Small Business Administration (800) 827-5722
(www.sba.gov)
- Regulatory Fairness Boards (SBA) (888) 734-3247
(www.sba.gov/ombudsman)
- Occupational Safety & Health Administration (OSHA) (800) 321-6742
(Worker Safety Referral Services)
(www.osha.gov)
- American Lung Association (800) 586-4872
(www.lungusa.org)
- Consumer Product Safety Commission (800) 638-2772
(www.cpsc.gov)
- Radon Auto Emission & Sun Safety(National Safety Council) (800) 557-2366
(www.nsc.org/ehc/radon.htm)
- INFOTERRA/USA (202) 260-5917
(www.epa.gov/INFOTERRA)
- Government Printing Office (202) 512-1800
(www.gpo.gov/#info)
- National Institute of Occupational Safety and Health (800) 356-4674
(www.cdc.gov/niosh/homepage.html)
- National Environmental Service Center (Water) (800) 624-8301
(www.estd.wvu.edu/netc/netcsc_homepage.html)
- Information Services - Additional Hotlines
(www.epa.gov/epahome/hotlines.htm)

EPA REGIONAL REGULATORY SMALL BUSINESS LIAISONS

REGION	1	CT, ME, MA, NH, RI, VT	Dwight Peavey	(617) 918-1829
	2	NJ, NY, PR, VI	Ronald Lockwood	(212) 637-3413
	3	DE, DC, MD, PA, VA, WV	David Byro	(215) 814-5563
	4	AL, FL, GA, KY, MS, NC, SC, TN	Annette N. Hill	(404) 562-8287
	5	IL, IN, MI, MN, OH, WI	Glynis Zywicki	(312) 886-4571
	6	AR, LA, NM, OK, TX	David Gray	(214) 665-2200
	7	IA, KS, MO, NE	Janette Lambert	(913) 551-7768
	8	CO, MT, ND, SD, UT, WY	Maureen Kiely	(303) 312-6762
	9	AZ, CA, HI, NV, GU	Mark Samolis	(415) 744-2331
	10	AK, ID, OR, WA	Robyn Meeker	(206) 553-7154



Small Business Assistance Programs

Small Business Stationary Source Technical and Environmental Compliance Assistance Program, 507 Programs, Compliance Assistance Provider, Technical Assistance Programs - many different names - all describing the same program.

Section 507 of the Clean Air Act Amendments of 1990 required each state to create a program to help small businesses understand and comply with air pollution regulations. Congress did this to provide a resource for smaller businesses previously unaffected by environmental requirements. Around the country, each state and two territories now house a free, nonregulatory, assistance programs consisting of three components:

Small Business Assistance Program SBAP

Provides the detailed technical assistance and publications to help small businesses come into or remain in compliance with environmental regulations.

Compliance Advisory Panel CAP

Advisory panel made up of small business owners and representatives to consult and advise on SBAP program content.

Small Business Ombudsman SBO

An advocate acting on behalf of small businesses as it relates to environmental issues.



How Small Is a Small Business?

- 100 or fewer individuals;
- Fits the small business definition in the Small Business Act;
- Not considered a major stationary source;
- Does not emit 50 tons or more per year of any regulated pollutant or 75 tons per year of all regulated pollutants.



Location of the Programs

SBAPs and SBOs may be found in any number of places, including:

- Environmental Agencies
- Economic Development Agencies
- University System
- Non Profit Organizations
- Pollution Prevention Programs
- Small Business Development Centers
- Office of the Secretary or Agency Director

Size of the Programs

The number of individuals in the SBAP/SBO programs varies from 0-40 depending on the particular state!



Program Budgets

SBAP/SBO/CAP budgets range from \$0 to \$2,000,000. About 98% of the programs operate with budgets less than \$200,000.



Steering the Future of the SBAPs

In 1995, the SBAPs formed a committee to help encourage better communication around the country between the state programs and EPA. One representative and an alternate from each EPA region serves on the Steering Committee. Committee Representatives participate in monthly conference calls, serve as a conduit for information to other assistance providers in the region, and act as a focal point of contact to disseminate information to and from the 507 Program service providers. The Steering Committee provides a vehicle for identifying and resolving problems faced by the 507 program service providers.



EPA Small Business Division *Office of Policy, Economics & Innovation*

This Division within EPA houses the National Small Business Ombudsman for EPA. The SBO represents small businesses and acts as a key link between the state programs and the agency.

Karen V. Brown

1-800-368-5888

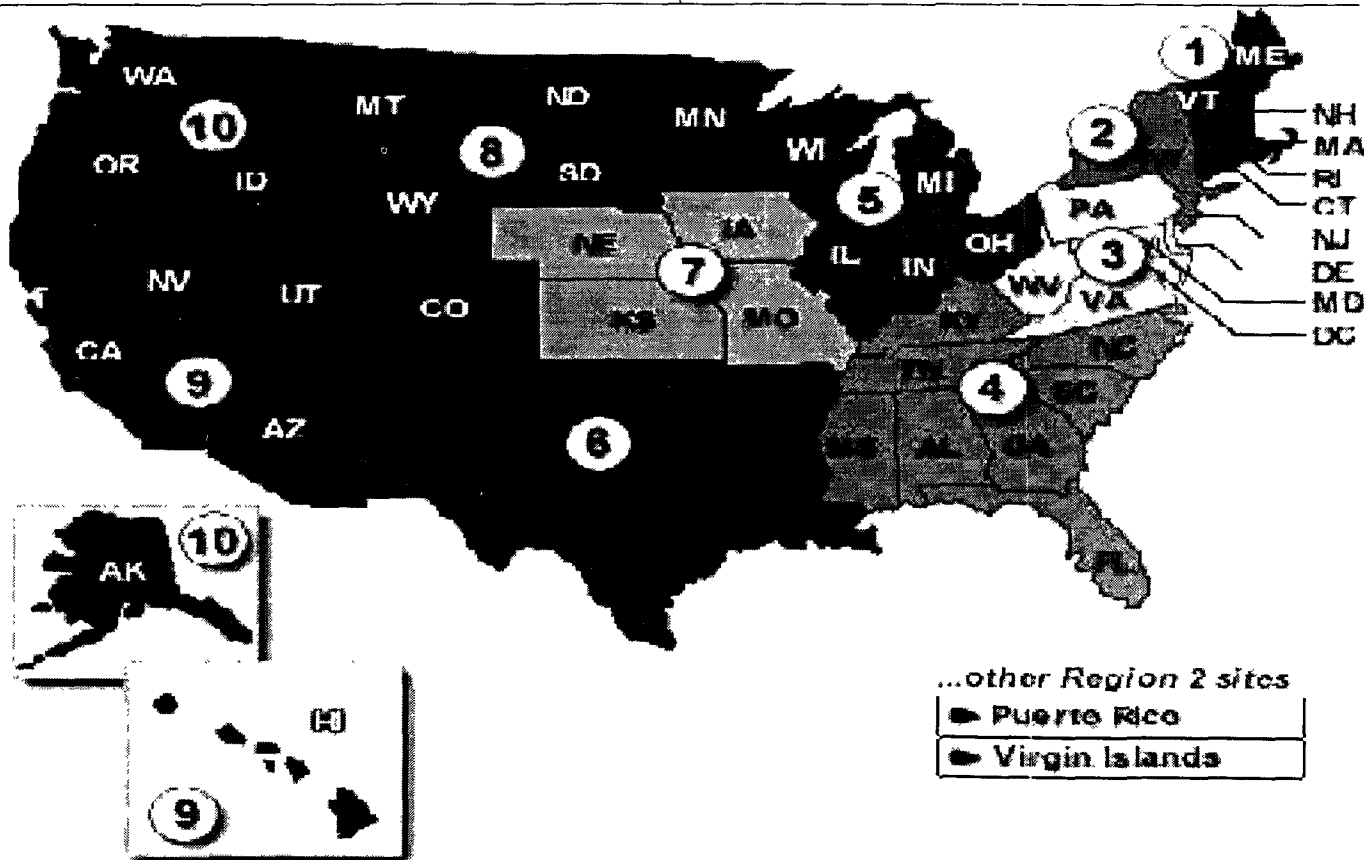
brown.karen@epa.gov

2002 Steering Committee Representatives and Alternates

- Region 1: Ron Dyer (ME)
Joe Antonio (RI)
- Region 2: Maria Riveria (PR)
Marian Mudar (NY)
- Region 3: Richard Rasmussen (VA)
Terry Polen (WV)
- Region 4: Linda Sadler (TN)
Tony Pendola (NC)
- Region 5: Amelia Gooding (IL)
Phyllis Strong (MN)
- Region 6: Tamra Shae Oatman (TX)
Darren Morrissey (AR)
- Region 7: Dan Nickey (IA)
Layli Terrill (MO)
- Region 8: Nick Melliadis (CO)
Bonnie Rouse (MT)
- Region 9: Marcia Manley (NV)
Robert White (CA)
- Region 10: Sally Tarowski (ID)
Patrick Hoermann (WA)

Chairman: Mark Shanahan (OH)
mark.shanahan@aqda.state.oh.us

Vice Chairman: Ron Dyer (ME)
ron.e.dyer@state.me.us



JULY 2002, CLEAN AIR ACT

SMALL BUSINESS OMBUDSMEN AND TECHNICAL ASSISTANCE DIRECTORS

STATE	OMBUDSMAN	PHONE	TECH. ASST. DIR.	PHONE
AL	Gary Ellis	(334) 394-4352 (N) (800) 533-2336	Mike Sherman	(334) 271-7873 (N) (800) 533-2336
AK	Bill Smyth	(907) 451-2177 (S) (800)-520-2332		
AZ				
AZ MARICOPA COUNTY			Richard Polito	(602) 506-5102
AR			Ron Alexander	(501)682-0866 (N) 888-233-0326
CA	Kathleen Tschogl	(916) 323-6791 (S) (800) 272-4572	Robert White	(916) 364-4106
CA South Coast AQMD			Larry Kolczak	(909) 396-3215 (S)(800)388-2121
CO	Nick Melliadis	(303) 692-2135 (S) (800) 886-7689	Chuck Hix	(303)692-3148
CT	Tom Turick	(860) 424-3003 (S) (800) 760-7036	Tom Turick	(860) 424-3003 (S) (800) 760-7036
DE	Kim Finch	(302) 739-6400		
DC	Sandra Handon	(202) 535-1722	Olivia Achuko	(202) 535-2997
FL	Bruce Thomas	(850) 921-7744 (S) 800-722-7457	Bruce Thomas	(850) 921-7744 (S) 800-722-7457
GA	Anita Dorsey-Word	(404) 362-4842 1-877-427-6255		
HI	Patrick Felling	(808) 586-4528	Robert Tam	(808) 586-4200
ID	Sally Tarowsky	(208) 373-0472	Sally Tarowsky	(208) 373-0472
IL	Don Squires	(217) 785-1625 (S) (888) 372-1996	Roslyn Jackson	(217) 524-0169 (S) (800) 252-3998
IA	Wendy Walker	(515) 242-4761 (S) (800) 351-4668	John Konefes	(319) 273-8905 (S) (800) 422-3109
IN	Erika Seydel-Cheney	(317) 232-8598 (S) (800) 451-6027 X2-8598	Marc Hancock	(317) 232-6663 (S) (800) 988-7901
KS	Theresa Hodges	(785) 296-6603 (N) (800) 357-6087	Hamdy El Rayes	(785) 532-3246 (N) (800) 578-8898
KY	Rose Marie Wilmoth	(502) 564-2150 X128 (N) (800) 926-8111	Gregory Copley	(606) 257-1131 (N) (800) 562-2327
LA	Jim Friloux	(225) 765-0735 (S) (800) 259-2890	Dick Lehr	(225) 765-2453 (S) (800) 259-2890
MA				
MD	Don Jackson	(410) 631-3165 (S) (800) 633-6101, X 3772	Andrew Gosden	410-631-4158 (S) (800)633-6101,x4158
ME	Ron Dyer	(207) 287-4152 (S) (800) 789-9802	Julie M. Churchill	(207)287-7881 (S) (800) 789-9802
MI	Susan Holben	(517) 335-5883	Dave Fiedler	(517) 373-0607 (N) (800) 662-9278
MN	Charlie Kennedy	(651) 297-8615 (S) (800) 985-4247	Troy Johnson	(651) 296-7767 (S) (800)657-3938
MO			Byron Shaw	(573) 526-6627 (N) (800) 361-4827
MS	Jesse Thompson	(601) 961-5167 (N) (800) 725-6112	Randy Wolfe	(601)961-5166 (N) (800)725-6112

STATE	OMBUDSMAN	PHONE	TECH. ASST. DIR.	PHONE
MT	Bonnie Rouse	(406) 444-3641 (N) 800-433-8773	Bonnie Rouse	(406) 444-3641 (N) 800-433-8773
NC	Edythe McKinney	(919) 733-0823 (N) (877) 623-6748	Tony Pendola	(919) 733-0824 (N) (877) 623-6748
NE	Tom Franklin	(402) 471-8697	Tom Franklin	(402) 471-8697
NH	Rudolph Cartier	(603) 271-1379 (S) 800-837-0656	Rudolph Cartier	(603) 271-1379
NJ	Joe Constance	(609) 984-6922 (N) (800) 643-6090	Ky Asral	(609) 292-3600 (S) 877-753-1151
NM	Rita Trujillo	(505) 955-8091 (N) (800) 810-7227	Steve Dubyk	(505) 955-8025 (N) (800) 810-7227
NV	Marcia Manley	(775) 687-4670, x3162 (S) (800) 992-0900, X 4670		
NY	Keith Lashway	(518) 292-5340 800-782-8369 (S)	Marian Mudar, Ph.d	(518) 402-7462 (S) (800) 780-7227
ND	Dana Mount	(701) 328-5150 (S) (800) 755-1625	Tom Bachman	(701) 328-5188 (S) (800) 755-1625
OH	Mark Shanahan	(614) 728-3540 (S) (800) 225-5051	Rick Carleski	(614) 728-1742
OK	Steve Thompson	(405) 702-7100	Dave Dillon	405-702-1000 (S) 800-869-1400
OR	Rich Grant	503-229-6839 (S) (800)452-4011		
PA	Bruce McLanahan	(717) 772-5942	Gerald Laubach	(717) 772-2333
PR			Angel O. Berrios-Silvestre	(787) 767-8025
RI			Joe Antonio	(401) 222-6822 X4410
SC	Phyllis Copeland	(803) 896-8982 (N) (800) 819-9001	James Robinson	(803) 896-8984 (N) (800) 819-9001
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Office of Small and Disadvantaged Business Utilization

The Office of Small and Disadvantaged Business Utilization (OSDBU), under the supervision of the Director, is responsible for developing policy and procedures implementing the functions and duties under sections 8 and 15 of the Small Business Act as amended by Public Law (P.L.) 95-507 (October 24, 1978) and P.L. 100-656 8(a) Reform Act. The Office develops policies and procedures implementing the provisions of Executive Orders 11625, 12432 and 12138 and is responsible for developing policies and procedures for implementing the requirements of Section 105(f) of P.L. 99-499 and Section 129 of P.L. 100-590. Additionally, OSDBU establishes policy, guidance and assistance to small and disadvantaged businesses in rural areas and other socioeconomic groups. The Office furnishes information and assistance to the Agency's field offices for carrying out related activities, and represents EPA at hearings, interagency meetings, conferences and other appropriate forums on matters related to the advancement of business enterprises.

Direct Procurement Program

DESCRIPTION

The Office develops, in collaboration with the Director of the Office of Acquisition Management, Office of Administration and Resources Management, Office of Administration and Resources Management, and EPA senior-level officials, programs to stimulate and improve the involvement of small business, minority business, labor surplus areas and women-owned business enterprises in the overall EPA procurement process. OSDBU monitors and evaluates Agency performance in achieving EPA goals and objectives in the above areas, and recommends the assignment of EPA Small Business Representatives to assist designated Procurement Center Representatives of the Small Business Administration to carry out their duties pursuant to applicable socioeconomic laws and mandates.

ACTIVITIES

- ◆ Develops policy and procurements impacting socioeconomic businesses
- ◆ Establish and monitor direct procurement goals for:
 - ☛ Small Business
 - ☛ 8(a) Business
 - ☛ Small Disadvantaged Business
 - ☛ Women-Owned Business
 - ☛ HUBZones
 - ☛ Subcontracting
 - ☛ Service Disabled Veterans
- ◆ Compile, collect and assemble statistical data on socioeconomic programs
- ◆ Mentor-Protégé Program
- ◆ Subcontracting Reviews and Approvals
- ◆ Outreach Efforts (Economic Development Programs for Selected Urban Centers)
- ◆ Education Training Program (Co-sponsorships with Workshops, Seminars and Trade Fairs)
Provides technical and management assistance to small, disadvantaged business enterprises and women-owned entities, Alaskan Indian/American Natives and HBCUs
- ◆ Liaison with Trade Associations, Business Organizations, and Federal Agencies, including: Small Business Administration, Minority Business Development Agency of Department of Commerce, Office of Federal Procurement Policy, OMB, Congress, General Services Administration, on Socioeconomic matters

The Office of Small and Disadvantaged Business Utilization (OSDBU) has a **OUTREACH CENTER** for small, minority and women-owned firms in concert with Howard University's Small Business Development Center. The services of the Outreach Center are designed to enabled developing, emerging and startup firms to strengthen their competitive position in the EPA marketplace. A few other services are available: (NO FEE is required except for special sessions when neither a celebrity consult is engaged or a site cost is encumbered. Hours of operations are 9:00 am until 4:00 pm, you can call for an appointment at (202) 564-4584.

Assistance to Minority and Women-Owned Business Program

Under Agency Financial Assistance Programs

(Grants and Cooperative Agreements)

DESCRIPTION

The Office is responsible for assuring that small, minority, women-owned and labor surplus are firms are given the opportunity to receive a "fair share" of subagreements during the procurement phase of certain types of financial assistance awarded by the Agency. OSDBU develops policies and procedures to aid these business entities with the assistance of the Grants Administration Division, Office of Administration and the Grants, Contracts and General Law Division, Office of General Counsel. Additionally, OSDBU is responsible for the collection of data and for monitoring the effectiveness of the program and serves as the principal focal point between EPA and the Minority Business Development Agency of the U.S. Department of Commerce.

ACTIVITIES

- ◆ Develops and monitors policy and procedures
- ◆ Regions establish "Fair Share" objectives with recipients of financial assistance
- ◆ Recipients report to delegated States or to Regional Offices
- ◆ EPA reports data to the Cabinet Council for Commerce and Trade through the Minority Business Development Agency
- ◆ Provides technical and management assistance to minority and women-owned businesses
- ◆ Provides Regional technical, management assistance and support
- ◆ Compile, collect, analyze and assemble data on DBEs, HBCUs and IAGs
- ◆ Provides reports on financial assistance program to various entities, including Congress

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OSDBU has a site on the Internet of general information and publications for small businesses interested in doing with EPA. Our WEB address is: <http://www.epa.gov/OSDBU>

REQUEST FOR PUBLICATIONS

Small Business Division (SBD)

SUMMER 2002

EPA USE ONLY	Small Business _____	Asbestos _____
INQ. NO.: _____	DATE: _____	FILLED BY: _____ DATE FILLED: _____
Inquiry Source: [Hotline: Phone _____ Machine _____] Fax: _____ U.S. Mail: _____ Other _____		
[Add: _____ Init: _____ Date: _____] [Change: _____ Init: _____ Date: _____] [Delete: _____ Init: _____ Date: _____]		

NAME: _____ TELE. NO.: (____) _____

Organization: _____

Address: _____ Date: _____

City: _____ State: _____ Zip: _____

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Karen V. Brown, Small Business Ombudsman
US Environmental Protection Agency
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Washington, D.C. 20460-0001

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