

LOANS TO SMALL BUSINESSES UNDER THE FEDERAL WATER POLLUTION CONTROL ACT-(92-500)

ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF ANALYSIS

AND EVALUATION

401 M STREET, S.W.

WASHINGTON, D.C. 20460

DECEMBER 1976



The Federal Water Pollution Control Act of 1972 set as its objective to restore and maintain the chemical, physical and biological integrity of our nation's waters. To meet this objective, effluent limitations are being set on all industrial point sources into our nation's waters as well as pollution from nonpoint sources such as farms and forests. Under Section 8 of this Act, which is entitled "Loans to Small Business Concerns for Water Pollution Control Facilities," amendments were made to Section 7 of the Small Business Act. Section 8 authorizes loans to assist small business concerns in adding to or altering their equipment, facilities, or methods of operation in order to meet the water pollution control requirements established under the FWPCA. The loans are to provide relief to certain small businesses and farmers who might otherwise suffer substantial economic injury without some financial assistance. The loans are provided when commercial loan sources are unavailable or can only provide part of the required loan.

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WHO IS ELIGIBLE?

Section 8 of the FWPCA authorizes the SBA to make loans to assist any small business concern in effecting additions to or alternations in the equipment, facilities, or methods of operation of such concern to meet water pollution control requirements under the FWPCA, if the concern is likely to suffer substantial economic injury without assistance. SBA has defined a "small" business in standards that are available at any SBA field office. In essence, the applicant must be an independently owned and operated small business, not dominant in its field, and must meet employment or sales size standards established by SBA. Applicants also will be subject to regulations promulgated by the Small Business Administration with regard to their type of business and financial eligibility. Recent legislation has been enacted making farmers eligible for these loans as well. In addition, a small concern may be eligible for a loan if its requirement for a loan is a result of engaging in one of the following activities:

1. The business has an effluent discharge requiring a National Pollution Discharge Elimination System permit under Section 402 of the FWPCA.

2. The business emits discharges through a sewer line into a publicly owned treatment works, and the city or town requires the pretreatment of the waste discharge.

3. The business plans to discharge into a municipal sewer system through the construction of a lateral or interceptor sewer.

4. The business is subject to the requirements of a State or regional authority for controlling the disposal of pollutants that may affect groundwater.

5. The business is subject to a Corps of Engineers permit for disposal of dredged or fill material.

6. The business is subject to Coast Guard or State requirements regarding the standard of performance of marine sanitation devices controlling sewage from vessels.

7. The business is implementing a plan to control or prevent the discharge or spill of oil or other hazardous substances.

WHAT THE LOAN MAY BE USED FOR

Loans “shall be made only if . . . such additions or alterations of the equipment, facilities or methods of operation are necessary and adequate to comply with the requirements established under the Federal Water Pollution Control Act.” (Section 8(a) (2) (B)). This statement from the Act has been interpreted to mean that not all requirements under the Act must be met by the work covered by the proposed loan. The only criteria for eligibility is that the proposed work must meet the ‘necessary and adequate’ test for one or more of the applicable standards under the Act. In addition, loans may be granted for additions or alterations that will achieve a level of performance above the requirements as they now stand but which anticipate more stringent requirements being written into a permit or standards in the years to come.

WHEN TO APPLY TO EPA

Applications to EPA should be made after a permit or other official notification containing requirements is issued to or placed upon you by the Environmental Protection Agency, Corps of Engineers, Coast Guard. State, municipality, or regional management authority. These requirements will specify certain conditions

or schedules to be met; only after these requirements are known can the determination of necessity and adequacy be considered.

WHAT MUST AN APPLICATION INCLUDE

An application need not be in any particular form. EPA will provide an optional instructional guide in answering questions for certification statement. The application must include the following:

1. Name of applicant (including business name)
Mailing address
(Address of affected facility, if different, from above)
2. Signature of owner, partner, or principal executive officer requesting the statement
3. Standard Industrial Classification (SIC) number for business for which an application is being submitted (see Standard Industrial Classification Manual, 1972 edition, or describe the type of business activity if SIC is not known)
4. Description of process or activity generating the pollution to be abated by additions, alterations,

or methods of operation covered by application

5. Specific description of additions, alterations, or methods of operation covered by the application. This would include, where appropriate:
 - a. summary of construction to be undertaken
 - b. listing of major equipment to be purchased or utilized in operation
 - c. purchase of any land or easements necessary to operation of facility
 - d. other items deemed pertinent (information considered as a trade secret shall be identified as such)
6. Declaration of requirement(s) for compliance with which alterations, additions, or methods of operations are claimed to be necessary and adequate
7. If you have received a permit from a State Water Pollution Control Agency within the preceding two years, and the permit was not an NPDES permit issued under the

Federal Act, and where the permit relates directly to abatement of discharge for which a statement is sought, a copy of permit should be included.

8. Any written information from a manufacturer, supplier or consulting engineer, or similar independent source, concerning design capabilities of the additions or alterations covered by the application. This would include warranties or certifications obtained from or provided by such sources which would bear upon design or performance capabilities. (Requirement may be waived if there is no independent source for the information described).
9. Estimated schedule for construction or implementation of alterations, or methods of operation
10. Estimated cost of alterations, additions, or methods of operation, and where practicable, individual costs of major elements of construction to be undertaken
11. Information on previously received loan assistance under this section for facility or method of

operation, description and dates
of activity funded

12. NPDES permit number if applicable.
(A schematic diagram listing the major components of your abatement process would be most helpful and could reduce the need for the submittal of extensive plans and specifications.)

WHAT COLLATERAL IS NECESSARY

You, the applicant, must be in sound financial condition and give SBA reasonable assurance that the loan will be repaid. The applicant must pledge whatever collateral or give such guarantees as he can. When the SBA loan is used to acquire fixed assets, these must be pledged as security.

Personal and/or business assets should be used to the greatest extent possible but it is not expected that they will be needed to the point of curtailing working capital or reserve requirements.

LOAN MATURITY

Loan Maturity is based on the applicant's need and earnings, but repayment must be made at the earliest possible date. The maximum term is 30 years with the

exact term for a particular loan to be negotiated with the SBA.

INTEREST AND FEES

If a conventional bank loan is not available, SBA has several loan options available. SBA may guarantee up to 90 percent of a loan to a small business firm or, if this financing is not available, SBA may enter into an immediate participation basis loan with a bank. A direct loan will be considered if these other forms of financing are not available in an amount up to \$500,000, which may be exceeded only if the Administrator of the SBA finds substantial hardship.

Within certain limitations the private lender sets the interest rates on guaranteed loans and on its portion of immediate participation loans.

Interest rates on SBA's portion of immediate participation, as well as direct loans, may be obtained from any SBA office as the rate is subject to change, as it corresponds to the average annual interest rate on all interest bearing obligations of the United States.

SMALL BUSINESS SIZE

Note that only small business and farms are eligible for relief under the provisions of the Act. Before you go to the time, trouble, and expense of preparing an application, be very

sure of your size classification. If there is any doubt about the classification of your business see Part 121.3-10 of the Small Business Administration Rules and Regulations or contact your local SBA office to determine the applicable employee or sales standard.

EPA'S TECHNICAL REVIEW

The Environmental Protection Agency must perform a technical review of the application for SBA to determine that the proposed additions or alterations are necessary and adequate to comply with one or more applicable standards.

You obtain this review by submitting two copies of the application for Statement of Compliance to the EPA Regional Loan Coordinator. Addresses are listed in this brochure for the EPA Regional Office in your Region. Processing time at EPA should generally not exceed 45 working days from the time a complete application is received.

The review by EPA may result in one of three distinct determinations:

- a. Approval: A written statement will be provided to you attesting to this, with a copy sent directly to the appropriate SBA Office.

b. Conditional Approval: Some of the items were acceptable and some were not. A copy of the conditional approval will be sent to the appropriate SBA Office. Appeal of the rejected portion may be made without prejudice to the approved portion. You may use a conditional approval to secure a loan.

c. Disapproval: You may make an appeal within 60 days directly to the EPA Deputy Administrator in Washington.

The EPA review is for technical purposes. Do not send detailed company financial and credit data to EPA. EPA may empower States to conduct this review and to issue statements.

SBA'S FINANCIAL REVIEW

Submit the EPA approval or conditional approval to the appropriate SBA Office with the completed SBA loan application. Once SBA has received your complete application package you should plan for a review time of about four weeks.

FURTHER INFORMATION

For further information contact either the EPA Regional or SBA District Office. The EPA Regional Office will also be able to provide you with a copy of the regulations that were developed for this pro-

gram, and which should help you in preparing your application for technical review.

LOAN COORDINATORS AT EPA

HEADQUARTERS

Mr. Sheldon Sacks
Small Business Loan Section
Office of Analysis and Evaluation
Room 831 East Tower (WH-586)
401 M. St. S.W.
Washington, D.C. 20460
AC 202 755-7640

STATES COVERED EPA

REGION I

- CONN. Mr. Ted Landry
- ME. Permits Branch
- MASS. Environmental Protection Agency
- N.H. Room 2109
- R.I. John F. Kennedy Federal Bldg.
- VT. Boston, Mass. 02203
- AC 617-223-5061

REGION II

- N.J. Mr. Stuart Roth
- N.Y. Status of Compliance Branch
- P.R. Environmental Protection Agency
- V.I. Room 10009, 26 Federal Plaza
- New York, N.Y. 10007
- AC 212 264-4726

REGION III

- DEL. Matthew Miller
- MD. Staff Environmentalist
- PENN. Environmental Protection Agency
- W. VA. Curtis Building 3EN20
- D.C. 6th & Walnut Streets
- VA. Philadelphia, PA. 19106
- AC 215 597-3635

REGION IV

ALA.	Mr. John Hurlebaus
FLA.	Program Support Branch
• GA.	Environmental Protection Agency
KENT.	345 Courtland Street, N.E.
• MISS.	Atlanta, Ga. 30308
• N.C.	AC 404 526-5793
• S.C.	
• TENN.	

REGION V

• ILL.	Mr. Merle (Bud) Tellekson-Mr. Gene Pinkstaff
• IND.	Surveillance and Analysis Division
• WISC.	230 South Dearborn St.
• MICH.	Chicago, ILL. 60604
• MINN.	AC 312 353-5250
• OHIO	

REGION VI

ARK.	Mr. Richard Duty,
LA.	Director, Water Division
N.M.	Environmental Protection Agency
OKL.	1st International Bldg.
TEXAS	1201 Elm Street 27th floor
	Dallas, Texas 75270
	AC 214 749-1267

REGION VII

• KAN.	Mr. Al Callier
• MO.	Engineering Branch
• NEBR.	Environmental Protection Agency
IOWA	1735 Baltimore Avenue
	Kansas City, Missouri 64108
	AC 816 374-2725

REGION VIII

• COLO.	Mr. William H. Hormberg
• WYO.	Office of Grants
• MONT.	Environmental Protection Agency
• N.D.	Suite 900, 1860 Lincoln Street
S.D.	Denver, Colorado 80203
UTAH	AC 303 837-3961

REGION IX

ARIZ.	Mr. Stan Leibowitz, Mr. Ray Seid
• CALIF.	Permits Branch - Enforcement Division
• HAW.	Environmental Protection Agency
• NEV.	100 California Street
AM. SAMOA	San Francisco, Calif. 94111
GUAM	AC 415 556-3450
TRUST TERR.	

REGION X

ALASKA	Mr. Dan Bodien
• ORE.	Chief, Water Technical Compliance
• WASH.	Section
IDAHO	Environmental Protection Agency
	1200 6th Avenue
	Seattle, Washington, 98101
	AC 206 442-1270

SBA FIELD OFFICES

ADDRESSES AND TELEPHONE NUMBERS

REGION	CITY	STATE	ZIP CODE	ADDRESS	TELEPHONE NUMBERS FOR PUBLIC USE ONLY
I	RO Boston	Mass	02114	150 Causeway St. 10th Floor	(617) 223-2100
	RO Boston	Mass	02114	150 Causeway St. 10th Floor	(617) 223-2100
	POD Holyoke	Mass	01060	302 High Street - 4th Floor	(413) 526-8770
	OO Augusta	Maine	04330	Federal Building 40 Western Ave. Room 512	(207) 622-6171
	OO Concord	N.H.	03301	55 Pleasant St. Room 213	(603) 224-4041
	OO Hartford	Conn.	06103	Federal Building 450 Main St., Room 710	(203) 244-2000
II	OO Montpelier	Vt.	05602	Federal Building 87 State St. Room 210	(802) 223-7472
	POD Providence	R.I.	02903	57 Eddy St. Room 710	(401) 526-1900
	RO New York	N.Y.	10007	20 Federal Plaza Room 3214	(212) 264-1468
	OO New York	N.Y.	10007	20 Federal Plaza Room 3100	(212) 264-4355
	POD Jericho	Long Island, N.Y.	11753	131 Jericho Turnpike	(516) 897-7760
	OO Hato Rey	Puerto Rico	00919	Chardon and Bolivar Streets	(809) 763-6363
III	POD St. Thomas	Virgin Island	00801	Franklin Building	(809) 774-1331
	OO Newark	N.J.	07102	870 Broad St. Room 1035	(201) 645-3581
	POD Camden	N.J.	08104	1800 East Davis Street	(609) 767-5103
	OO Syracuse	N.Y.	13202	Federal Building Room 1073 100 South Clinton Street	(315) 473-3350
	OO Buffalo	N.Y.	14202	111 West Huron St. Room 1311 Federal Building	(716) 842-3240
	OO Elmira	N.Y.	14904	180 State Street Rm 412	(607) 734-1671
IV	POD Albany	N.Y.	12210	99 Washington Ave. Twin Towers Bldg. Room 822	(518) 472-4411
	POD Rochester	N.Y.	14604	Federal Building, 100 State Street	(716) 263-5700
	RO Philadelphia	Penn.	19104	231 St. Asaph Rd. 1 Bala Cynwyd Plaza Suite 640 West Lobby	(215) 577-3311
	OO Philadelphia	Penn.	19104	231 St. Asaph Rd. 1 Bala Cynwyd Plaza Suite 400 East Lobby	(215) 577-3311
	OO Harrisburg	Pa.	17108	1500 North 2nd Street	(717) 762-2260
	OO Wilkes-Barre	Pa.	18702	Penn. Plaza 20 N. Pennsylvania Ave.	(717) 826-6811
V	OO Wilmington	Del.	19801	844 King Street Federal Building Rm 5207 Lock Box 16	(302) 571-6294
	OO Baltimore	Towson, Md.	21204	7800 York Rd.	(301) 902-2160
	OO Clarksville	W. Va.	26301	109 North 2nd St. Room 301, Lowndes Building	(304) 623-3401
	OO Charleston	W. Va.	25301	Charleston National Plaza Suite 625	(304) 343-6181
	OO Pittsburgh	Pa.	15222	Federal Building 1000 Liberty Ave. Room 1481	(412) 644-2780
	OO Richmond	Va.	23240	Federal Building 400 North 8th St. Room 3016	(804) 782-2617
VI	OO Washington	D.C.	20417	1000 15th St. N.W. Suite 260	(202) 656-4000
	RO Atlanta	Ga.	30309	1401 Peachtree St. N.E. Room 470	(404) 526-0111
	OO Atlanta	Ga.	30309	1720 Peachtree Street N.E.	(404) 526-0111
	OO Birmingham	Ala.	35208	908 South 20th St. Room 202	(205) 254-1000
	OO Charlotte	N.C.	28202	230 S. Tryon Street	(704) 372-8711
	POD Greenville	N.C.	27834	216 South Evans Street	(919) 752-3798
VII	OO Columbia	S.C.	29201	1801 Assembly St. Room 117	(803) 765-5276
	OO Jackson	Miss.	39201	Petroleum Bldg. Suite 690 200 E. Pascagoula St.	(601) 969-4371
	OO Idaho	Idaho	39630	111 Fred Meale Blvd. Gulf Nat. Life Insurance Bldg. 2nd Floor	(401) 863-1072
	OO Jacksonville	Fla.	32202	Federal Building 400 West Gay St. Room 201 PO Box 3507	(904) 761-2011
	OO Louisville	Ky.	40203	Federal Building 400 Federal Pl. Room 188	(502) 582-5971
	OO Miami	Fla.	33184	2222 Ponce de Leon Blvd. 5th Floor	(305) 359-5011
VIII	POD Tampa	Fla.	33607	1802 N. Franklin Street Suite 263	(813) 228-2594
	OO Nashville	Tenn.	37210	404 James Robertson Parkway Suite 1012	(615) 746-5022
	OO Knoxville	Tenn.	37902	502 South Gay St. Room 307 Fidelity Bankers Building	(615) 537-9300
	POD Memphis	Tenn.	38103	Federal Building 167 North Main St., Room 211	(901) 521-3588
IX	RO Chicago	Ill.	60604	Federal Building 219 South Dearborn St. Room 838	(312) 353-4400
	OO Chicago	Ill.	60604	Federal Building 219 South Dearborn St., Room 437	(312) 353-4528
	OO Springfield	Ill.	62701	One North Ohio State Capitol Plaza	(312) 526-4416
	OO Cleveland	Ohio	44199	1240 East 9th St. Room 317	(216) 522-4180
	OO Columbus	Ohio	43216	34 North High Street, Tenth Bldg.	(614) 469-6860
	OO Cincinnati	Ohio	45202	Federal Building, 650 Main St.	(513) 664-2814
X	OO Detroit	Mich.	48226	477 Michigan Ave. McNamara Building	(313) 226-6075
	OO Marquette	Mich.	49855	540 W. Keyes Ave. Don M. Bortum University Center	(906) 225-1108
	OO Indianapolis	Ind.	46204	376 North Pennsylvania St. 5th Floor Century Building	(317) 260-7272
	OO Madison	Wis.	53703	122 West Washington Ave. Room 713	(608) 262-5261
	OO Milwaukee	Wis.	53223	735 West Wisconsin Ave., Room 905 Continental Bank & Trust Co.	(414) 224-3941
XI	POD Eau Claire	Wis.	54701	500 South Benton St. Room 16 Fed. Off. Bldg. & U.S. Courthouse	(715) 834-9012
	OO Minneapolis	Minn.	55402	12 South 6th St., Plymouth Building	(612) 726-2362

(CONTINUED)

REGION	CITY	STATE	ZIP CODE	ADDRESS	TELEPHONE NUMBERS FOR PUBLIC USE ONLY
VI	RO Dallas	Tex	75205	1720 Regal Row, Regal Park Office Bldg Suite 230	(214) 741 1011
	DO Dallas	Tex	75202	1100 Commerce St. Room 300	(214) 749 1011
	POD Marshall	Tex	75670	100 South Washington Street, Federal Building	(214) 935 1411
	DO Albuquerque	N Mex	87110	5000 Marble Ave., N.E., Marie Plaza Bldg	(505) 268 5111
	DO Houston	Tex	77002	One Allen Ctr. 500 Dallas	(713) 726 4011
	DO Little Rock	Ark	72201	611 Capitol St. Suite 900	(501) 378 5011
	DO Lubbock	Tex	79402	1205 Texas Ave. 712 Federal Office Bldg & 112 Courthouse	(806) 767 7011
	DO El Paso	Tex	79901	4100 Rio Bravo Suite 300	(915) 543 7200
	DO Lower Rio Grande Valley	Harrislingon Tex	78550	202 East Van Buren Street	(512) 451 1011
	DO Corpus Christi	Tex	78408	3105 Leopard St.	(512) 888 4011
	DO New Orleans	La	70113	1001 Howard Ave. Plaza Tower 17th Floor	(504) 589 2611
	POD Shreveport	La	71163	Furman Street U.S. Post Office & Courthouse Building	(504) 756 1566
	DO Oklahoma City	Okla	73118	50 Penn Place Suite 840	(405) 730 4011
	DO San Antonio	Tex	78206	727 E. Durango Rm A 513	(512) 221 5611
VII	RO Kansas City	Mo	64106	911 Walnut St. 23rd Floor	(816) 374 3318
	DO Kansas City	Mo	64106	1150 Grande Ave. 5th Floor	(816) 374 5657
	DO Des Moines	Iowa	50308	New Federal Building 210 Walnut St. Room 749	(515) 268 4872
	DO Omaha	Neb	68102	Nineteenth and Farnum Streets Empire State Building	(402) 721 4691
	DO St. Louis	Mo	63101	Suite 2500 Mercantile Tower One Mercantile Center	(314) 425 4191
VIII	DO Wichita	Kan	67202	110 East Waterman Street Main Place Building	(316) 267 6566
	RO Denver	Colo	80202	Executive Tower Bldg 1405 Curtis Street	(303) 327 0111
	DO Denver	Colo	80202	721 10th St. Room 428A	(303) 327 0111
	DO Casper	Wyo	02601	Federal Building Room 4001 100 East 8 St	(307) 328 5330
	DO Fargo	N Dak	58102	Federal Building 654 2nd Ave., North, Room 210	(701) 781 7771
	DO Helena	Mont	59601	518 Helena Avenue	(406) 568 6011
	DO Salt Lake City	Utah	04111	Federal Building 125 South State St. Room 2227	(801) 463 5000
	DO Sioux Falls	S Dak	57102	National Bank Building 8th & Main Ave. Room 402	(605) 362 4900
	DO Rapid City	S Dak	57701	515 9th St. Federal Bldg	(605) 382 7000
IX	RO San Francisco	Calif	94102	Federal Building 450 Golden Gate Ave. Box 36044	(415) 556 0900
	DO San Francisco	Calif	94102	211 Main Street	(415) 556 0600
	DO Fresno	Calif	93721	Federal Building 1130 O St. Room 4016	(209) 487 5000
	POD Sacramento	Calif	95825	2800 Cellman Way	(916) 484 4200
	DO Las Vegas	Nev	89121	301 E. Stewart	(702) 385 0011
	POD Reno	Nev	89504	300 Booth Street	(702) 784 5734
	DO Honolulu	Hawaii	96813	1149 Booth St. Room 402	(808) 546 8960
	DO Agaña	Guam	96910	Ado Plaza Center Building	** 1 777 0420
	DO Los Angeles	Calif	90071	350 S. Figueroa St. 6th Floor	(213) 688 7000
X	DO Phoenix	Ariz	85004	112 North Central Ave.	(602) 261 3900
	DO San Diego	Calif	92188	630 Front Street Federal Building Room 4 5 33	(714) 293 5444
	RO Seattle	Wash	98104	710 2nd Ave. 5th Floor Dexter Horton Building	(206) 447 4343
	DO Seattle	Wash	98174	915 Second Ave. Federal Building Room 1744	(206) 447 4343
	DO Anchorage	Alaska	99501	1016 West 6th Ave. Suite 200 Anchorage Legal Center	(907) 272 1561
	RO Fairbanks	Alaska	99701	301A Seward Avenue	** (907) 471 1861
	DO Boise	Idaho	83701	216 North 8th St. Room 408	(208) 362 7711
	DO Portland	Oreg	97205	1220 S.W. Third Avenue, Federal Building	(503) 271 2500
	DO Spokane	Wash	99210	Court House Building Room 551	(509) 452 7100

** Dial Operator for Assistance

10 Regional Offices (RO)
63 District Offices (DO)18 Branch Offices (BO)
12 Post-office (POD)