

# Small-Biz@EPA

*Small Business Ombudsman Bulletin*



## WELCOME & INTRODUCTION

Welcome to the spring 2011 edition of the SmallBiz@EPA Bulletin. Improving upon our outreach and services to small businesses is our number one priority. We are excited to bring you a variety of updates and events that include fresh ideas and initiatives that have been implemented to assist small businesses in improving their environmental performance.

This quarterly web publication highlights recent Agency activities and State Small Business Environmental Assistance Programs (SBEAPs) initiatives. We hope you enjoy the articles and remain on our distribution list to receive future editions. Please notify us if your e-mail address has changed.

## STATE/REGIONAL CONTACTS

Need to find a contact for a comment or question within your state, region, or program? Go to the Contacts page on the [Small Business Environmental Home Page](#).

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### DO YOU HAVE NEWS FOR THE SMALLBIZ@EPA BULLETIN?

Want to reach the small business community? Send a brief synopsis of your success stories, technical and regulatory updates, and other news to Joan B. Rogers ([rogers.joanb@epa.gov](mailto:rogers.joanb@epa.gov)). Include your web site link. Submissions must be received by the third Tuesday of March, June, September and December to be included in the next edition.

For More Information on Small Business Environmental Compliance:  
[www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

Hotline: 1-800-368-5888



## EVENTS

### 2011 SMALL BUSINESS ENVIRONMENTAL CONFERENCE



The 18th annual Small Business Environmental Conference will be held May 3-6, 2011 at the Sheraton Raleigh Hotel in Raleigh, North Carolina. There will be something for everyone, whether you are a newcomer, “old timer,” an environmental specialist from a federal or state program, a trade association that helps small businesses, a program manager looking for professional development, or a small business! The conference [web site](#) contains information about registering for the conference, the agenda (including training), hotel and transportation information, directions, tourist information, and after-hours activities. Reserve your room now at the Sheraton Raleigh Hotel. The deadline for the group rate is April 6, 2011.

### AMERICA’S SMALL BUSINESS DEVELOPMENT CENTER’S 31ST ANNUAL CONFERENCE

ASBDC’s Annual Conference will be held September 6-9, 2011 at the Manchester Grand Hotel, San Diego, California.

This premiere event brings together more than 1,300 Small Business Development Center professionals, trainers, consultants, management and administrative personnel. Interact with them through professional development workshops, roundtables, general sessions and the Exhibit Hall.

**For registration and more information, [click here](#).**

### 2011 NATIONAL ENVIRONMENTAL SUSTAINABILITY SUMMIT

The 2011 National Environmental Sustainability Summit will be held in Detroit, Michigan, June 7-9, 2011. This year’s theme, “Partnering to Grow the Green Economy,” encourages participants (such as national leaders from nonprofits, government, academia, and business) to share effective strategies and approaches for implementing successful sustainability principles and programs.

**[Click to learn more and to register.](#)**

### ACTION DEVELOPMENT TRAINING AT EPA

EPA’s Office of Policy is offering a number of free training courses for EPA staff about the Action Development Process and other rulemaking considerations within the agency. Our upcoming courses include our flagship “Action Development at EPA” course... now two days instead of three!...and a new “Essentials of Regulatory Analysis” course. These courses are taught by EPA staff with expertise in each field. We’ve listed a few upcoming courses below. You can always find more details and a year-long curriculum [here](#).

DAY / TIME	TITLE	TYPE
04/14/2011 (2 P.M. EASTERN)	ANALYTIC BLUEPRINT AND EARLY GUIDANCE	WEBINAR
04/19 - 04/20/2011 (ALL DAY)	ACTION DEVELOPMENT AT EPA	CLASSROOM
04/28/2011 (2 P.M. EASTERN)	ENVIRONMENTAL JUSTICE CONSIDERATIONS IN THE ADP	WEBINAR
07/19 – 07/20/2011 (ALL DAY)	ACTION DEVELOPMENT AT EPA	CLASSROOM
09/13 – 09/14/2011 (ALL DAY)	ESSENTIALS OF REGULATORY ANALYSIS	CLASSROOM
10/18 – 10/19/2011 (ALL DAY)	ACTION DEVELOPMENT AT EPA	CLASSROOM

## DCA OFFERS COMPLIANCE AND SUSTAINABILITY WORKSHOPS

In times of tight budgets and growing workloads, the Kentucky Division of Compliance Assistance (DCA) is increasing the services it provides rather than cutting back. Since limited resources are restricting the division's ability to hire new staff to meet the growing demand for one-on-one assistance, DCA is turning to training classes and webinars to expand its reach and ensure that it meets client needs. DCA training incorporates both compliance and sustainability issues into its classes. These trainings have been very popular and are also generating a new source of revenue to help support and expand the program. This year DCA will hold more than 100 training events. Example workshops include Environmental Management Planning, Emergency Management and Response, Hazardous Waste Generation, Revitalization of Problem Properties, Greening Your Restaurant and a Green Hospitality webinar. For the latest information about upcoming workshops [click here](#).

## FOR ADDITIONAL SBO/SBEAP EVENTS

[Go here](#).

## PARTNERSHIPS & REACHING SMALL BUSINESS

### NEW HAMPSHIRE AUTO BODY PROJECT UPDATE



The N.H. Department of Environmental Services Small Business Technical Assistance Program (SBTAP) visited over 105 facilities in 2010 to determine current compliance

with the NESHAP 6H rule and N.H. Hazardous Waste rules. Survey results indicate that 87 percent of the shops visited do not know if the coatings they use contain one of the five hazardous air pollutants listed in 6H, and 21 percent of shops do not have exhaust booth filters. In addition, only 33 percent of shops completed the initial notification form in 2010. The form was mailed to every shop in New Hampshire and was distributed to over 415 attendees at the twelve workshops hosted by SBTAP throughout the state.

In addition to air emissions, hazardous waste management continues to be a concern at auto body shops. Thirty-one percent of shops visited are illegally disposing of waste solvent/thinner into the air, into the trash, or allowing it to evaporate. Thirty percent of the auto body shops that have an on-site thinner recycler are illegally disposing of the "sludge/pucks" in the trash. Over 70 percent of shops have failed to conduct a hazardous waste determination on waste booth filters. Only 54 percent of shops are properly recycling fluorescent lamps, while the remaining shops are illegally tossing the lamps into the trash.

Outreach efforts to this sector will continue through 2011, including additional site visits, publications on the management of hazardous waste, and collecting outcome metrics for an environmental justice case study.

Contact: Sara Johnson, NHSBTAP, [sara.johnson@des.nh.gov](mailto:sara.johnson@des.nh.gov) or (603) 271-1379.

## ENVIRONMENTAL PROTECTION AGENCY'S COMPLIANCE ASSISTANCE NEWS BRIEFS LIST HAS NEW NAME

The Compliance Assistance News Briefs list, which provides information on new and revised rules and new compliance assistance resources, has a new name. It is now called "assistance-news" instead of the "ocorelink." Subscribers of the ocorelink list have been transferred to the assistance-news list. This new list name should be easier to find for new subscribers and easier to remember. To subscribe, [click](#)



[here](#), look for “assistance-news Compliance Assistance News Briefs,” click on “subscribe,” and enter your information.

For questions, or more information, contact Catherine Tunis at [tunis.catherine@epa.gov](mailto:tunis.catherine@epa.gov) or call 202-564-0476.

## COMPLIANCE ASSISTANCE CENTERS – NEW RESOURCES

**National Metal Finishing Resource Center (NMFRC)** offers a new **Hard Chrome Plating** course covering the technical aspects of hard chrome plating with a heavy emphasis on pollution prevention, and health and safety topics. The online course features over three hours of original art, animations, and plating shop video. The hard-copy text provides greater detail including dozens of photographs, diagrams, charts and tables.

**Port Compliance** added a new **video tutorial** to help port tenants and authorities navigate the PortCompliance website and highlight major topics of interest. PortCompliance provides port tenants and authorities with information on applicable environmental regulations, best management practices, other training videos, a complete listing of ports, port associations and industry organizations, and more.

**CCAR-GreenLink** announced the 100th facility to receive the GreenLink Shop recognition. The GreenLink Shop status is an extension of CCAR's GreenLink Environmental Compliance Assistance Center and S/P2® Safety and Pollution Prevention E-learning Program. GreenLink Shop recognizes high standards of excellence in environmental, health and safety (EHS) practices in four categories: business operations, employee training, safety compliance and environmental management.

**FedCenter** offers two new webinars of interest to small businesses. One webinar provides a comprehensive overview of hazardous waste enforcement issues; the second provides a look at common violations found at facilities following environmental inspections. While the

webinars focus on federal facilities, they provide a wealth of environmental information relevant to small business operators. Check them out at:

- **RCRA Hazardous Waste @ Federal Facilities Webinar**
- **Ask an EPA Inspector: Common Violations at Federal Facilities Webinar**

## EPA RETAIL INDUSTRY PORTAL

EPA's Retail Industry Portal now provides compliance content organized by retail activities and regulated media. Visit the Portal's Compliance Overview for quick access to relevant waste, water, air and climate change, and toxics and chemical safety compliance information. EPA's Retail Industry Portal provides one-stop access to the many programs and resources available to help prevent and resolve environmental issues at retail establishments. Retailers can stay current with their regulatory obligations through new postings at the Retail Industry Portal's Recent Additions page.

## OPEN GOVERNMENT; WHITE HOUSE AND EPA INITIATIVES:



In the Memorandum on Transparency and Open Government, issued on January 21, 2009, President Obama instructed the Director of the Office of Management and Budget (OMB) to issue an Open Government Directive. The Open Government Directive explains the Obama Administration's plan for breaking down long-standing barriers between you and the federal government. EPA offers links to current and planned projects, and initiatives that foster public participation and collaboration. The White

House and EPA are taking steps to open doors and provide data by:

- *Publishing government information online.*
- *Improving the quality of government information.*
- *Creating and institutionalizing a culture of open government.*

## REGULATION UPDATES

### EPA SEEKS PUBLIC COMMENT ON PLAN TO REVIEW REGULATIONS



EPA is inviting the public to provide input on a plan that will guide EPA's retrospective reviews of regulations as part of the agency's response to President Obama's January 18, 2011 Executive Order (EO) 13563, "Improving Regulation and Regulatory Review."

EO 13563 directs each federal agency to consider "how best to promote retrospective analysis of rules that may be outmoded, ineffective, insufficient, or excessively burdensome." Specifically, the EO calls on every agency to develop "a preliminary plan, consistent with law and its resources and regulatory priorities, under which the agency will periodically review its existing significant regulations to determine whether such regulations should be modified, streamlined, expanded or repealed to make the agency's regulatory program more effective and or less burdensome in achieving its regulatory objectives."

EPA shares President Obama's commitment to using common sense and transparency to review federal regulations and has solicited public input regarding the design of its plan. The public was able to submit feedback until April 4, 2011 via EPA's dockets pertaining to issues/ impacts, program areas, or general comments. EPA also provided opportunities for input through a public meeting in Washington, D.C. on March 14, and listening sessions in other parts of the country. These outreach efforts allowed the public to provide EPA with feedback on specific issues, impacts or programs.

By late May, EPA will provide the public with its retrospective review plan, as well as the initial list of regulations it plans to review. More information about EPA's retrospective review website [click here](#).

### EPA NEWS RELEASES – OFFICE OF AIR AND RADIATION

[Read all of EPA air press release documents here.](#)

### EPA NEWS RELEASES – OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE (OSWER)

[Read all of EPA OSWER press release documents here.](#)

### EPA NEWS RELEASES – OFFICE OF WATER (OW)

[Read all of EPA OW press release documents here.](#)

### LAWS, REGULATIONS, GUIDANCE AND DOCKETS

Stay informed about current and initiated rules and regulations from the EPA and other federal agencies.

- **Action Initiation** List posts monthly updates to EPA rules and regulatory actions.
- **Regulations.gov** is the federal government's one stop site to comment on federal regulations. Sign up for email notifications for alerts when documents (e.g., a proposed rule or a meeting notice) are added to a docket. All of EPA's rules have a docket on Regulations.gov.
- **Rulemaking Gateway** provides information to the public on the status of EPA's priority rulemakings.

## OFFICE OF INFORMATION AND REGULATORY AFFAIRS' "DASHBOARD"

As part of the Administration's effort to create a more open and transparent government, the Office of Management and Budget launched an Office of Information and Regulatory Affairs (OIRA) "dashboard" on [reginfo.gov](http://reginfo.gov), the public website that discloses information about OIRA's review of draft regulations under Executive Order 12866.

## SUCCESS STORIES

### EPA PROPOSES FIRST NATIONAL STANDARD FOR MERCURY POLLUTION FROM POWER PLANTS / MERCURY AND AIR TOXICS STANDARDS REPRESENT ONE OF STRONGEST HEALTH PROTECTIONS FROM AIR POLLUTION SINCE PASSAGE OF CLEAN AIR ACT



EPA proposed the first-ever national standards for mercury, arsenic and other toxic air pollution from power plants. The new power plant mercury and air toxics standards – which eliminate 20 years of uncertainty across industry – would require many power plants to install widely available, proven pollution control technologies to cut harmful emissions of mercury, arsenic, chromium, nickel and acid gases, while preventing as many as 17,000 premature deaths and 11,000 heart attacks a year.

The new proposed standards would also provide particular health benefits for children, preventing 120,000 cases of childhood asthma symptoms and about 11,000 fewer cases of acute bronchitis among children each year. The proposed standards would also avert more than 12,000 emergency room visits and hospital admissions and 850,000 fewer days of work missed due to illness.

This rule will provide employment for thousands, by supporting 31,000 short-term construction jobs and 9,000 long-term utility jobs.

"Today's announcement is 20 years in the making, and is a significant milestone in the Clean Air Act's already unprecedented record of ensuring our children are protected from the damaging effects of toxic air pollution," said EPA Administrator Lisa Jackson. "With the help of existing technologies, we will be able to take reasonable steps that will provide dramatic protections to our children and loved ones, preventing premature deaths, heart attacks, and asthma attacks."

Also in keeping with the President's executive order, the proposed standard puts a premium on important input and feedback from stakeholders to inform any final standard. The public comment period, which will last 60 days after appearing in the Federal Register, will allow stakeholders including the public, industry and public health communities, to provide important input and feedback, ensuring that any final standard maximizes public health benefits while minimizing costs.

As part of the public comment process, EPA will also hold public hearings on this proposed rule. Additional details on these events will be announced at a future date.

More information available [here](#).

## TECHNICAL UPDATES

### EPA TO DEFER GHG PERMITTING REQUIREMENTS FOR INDUSTRIES THAT USE BIOMASS

#### AGENCY AIMS FOR SCIENCE-BASED, REASONABLE APPROACH TO BIOMASS.

EPA is proposing to defer, for three years, Clean Air Act permitting requirements for carbon dioxide (CO<sub>2</sub>) emissions from bioenergy and other biogenic sources. This additional time will allow the agency to conduct a detailed examination of the science on this issue.

Seeking advice of federal partners, states, a diverse group of expert scientists including industry and other stakeholders, and an independent scientific panel, will help to determine how these emissions should be treated under the EPA's air permitting program. In July 2010, EPA issued a call for information seeking public comment.

New EPA guidance is also being provided to help permitting authorities determine that using biomass as a fuel can be considered the best available control technology for CO<sub>2</sub> emissions from the large sources needing permits. The guidance can be used until EPA takes final action on the deferral.

Sources covered by this proposal would include facilities that emit CO<sub>2</sub> from burning forest or agricultural products for energy, wastewater treatment, waste management (landfills), and fermentation processes for ethanol production. Facilities meeting the requirements under the agency's greenhouse gas (GHG) reporting program will still need to report their CO<sub>2</sub> emissions.

Beginning on January 2, 2011, the Clean Air Act required large plants and factories planning to make major modifications or build new facilities to obtain pre-construction permits addressing their GHG emissions. Emissions from small sources, such as farms and restaurants, are not covered by these permitting requirements.

EPA will accept comments on the proposed deferral for 45 days following publication in the Federal Register.

[Click here for more information.](#)

### EPA ANNOUNCES NEXT STEPS FOR GREENHOUSE GAS EMISSIONS REPORTING PROGRAM

EPA has announced that its GHG Reporting Program



has recently completed extensive work to develop GHG data reporting requirements for a wide range of different industries in response to Congressional mandates. This program will provide Congress, stakeholder groups and the public with information about these emissions while helping businesses identify cost effective ways to reduce emissions in the future.

To ensure that the requirements are practical and understandable to the thousands of companies already registered to report under the program, the agency is in the process of finalizing a user friendly online electronic reporting platform.

Following conversations with industry and others, and in the interest of providing high quality data to the public, EPA is extending this year's reporting deadline (originally March 31, 2011) to September 30, 2011 – and plans to have the final uploading tool available this summer, with the data scheduled to be published later this year. This extension will allow EPA to further test the system that facilities will use to submit data and give industry the opportunity to test the tool, provide feedback, and have sufficient time to become familiar with the tool prior to reporting.



In addition to the nine rulemakings necessary to comply with congressional direction for the program, over the past two years EPA has established a public help center that operates through our website and efficient mechanisms for stakeholders to get answers from EPA experts to detailed technical questions. EPA has also conducted training sessions with each affected sector and held hundreds of meetings with stakeholders across the country.

EPA's GHG Reporting Program, launched in October 2009, requires the reporting of GHG emissions data from large emission sources and fuel suppliers across a range of industry sectors. This program will provide data that will help industries find ways to be more efficient and save money.

**[More information on these actions.](#)**

**[More information on the GHG Reporting Program.](#)**

## **YOUTUBE VIDEO FROM KENTUCKY ENVIRONMENTAL COMPLIANCE ASSISTANCE PROGRAM**

The Kentucky Environmental Compliance Assistance Program (ECAP), located within the Division of Compliance Assistance, has been providing multimedia compliance assistance to regulated entities in the state since 2007. Since that time, the program has responded to over 3,800 assistance requests with a quarter of those being small businesses. Half of all small business requests deal with air quality issues and often involve permitting and recordkeeping/reporting assistance. Recently, the program has expanded its services to provide both classroom and web training events. As a result, ECAP clients report a 94 percent satisfaction rate with services and 85 percent indicate making positive changes to improve compliance and the environment.

**[Click here to view the YouTube video.](#)**

## **GREEN BUSINESS**



### **GO GREEN MONTHLY NEWSLETTER**

Go Green! is a monthly newsletter from the US EPA with information about activities and events that everyone can use to make a difference in their homes, communities, and offices. To sign up for this monthly newsletter [click here](#) and submit your email address.

### **CITIES COMPETING TO WIN EPA'S GREEN POWER COMMUNITY CHALLENGE**

The EPA's first Green Power Community Challenge has reached its mid-year point with 36 communities setting an example for other cities, towns, villages, and Native American tribes to use renewable energy to help protect people's health and the environment. At this point in the competition, the two category leaders are Washington, D.C. for its total green power usage and Brookeville, Md. for the percentage of its total electricity use that is green power.

The top five communities in the usage category are Washington, D.C., Portland, Ore, Santa Clara, Calif., Gresham, Ore., and Bellingham, Wash. The top five communities in the percentage of green power usage category are Brookeville, Md., Swarthmore, Pa., Bellingham, Wash., Rivers Falls, Wis., and Corvallis, Ore.

At the end of the year-long national challenge in September 2011, EPA will recognize the community that uses the most



green power and the one that achieves the highest green power percentage of total electricity use.

Green power communities are collectively purchasing nearly 2.6 billion kWh of green power annually. This is equivalent to the electricity use of more than 226,000 average American homes.

Green power is generated from renewable resources such as solar, wind, geothermal, biomass, biogas, and low-impact hydropower. Green power resources produce electricity with an environmental profile superior to conventional power technologies, and produce significantly fewer greenhouse gas emissions.

More information on EPA's Green Power Community Challenge Rankings [click here](#).

More information about EPA's Green Power Communities [click here](#).

## SMART STEPS TO SUSTAINABILITY – A GUIDE TO GREENING YOUR SMALL BUSINESS

EPA's Office of Small Business Programs greening guide resource for small businesses, Smart Steps to Sustainability, can help your small business in moving beyond compliance and into sustainability. Environmentally-friendly business practices can yield enormous rewards, both for the environment and the business.



Being green can:

- *Save money from reduced waste and increased efficiency*
- *Bring peace of mind from reduced concerns about health and safety liability*
- *Improve public relations*
- *Attract green consumers*

- *Differentiate your business from competitors*
- *Provide flexibility in uncertain times*

For a copy of the Smart Steps to Sustainability Guide and other small business greening assistance resources, [go here](#).

## INQUIRIES AND INTERVIEWS

### INTERVIEW WITH GABRIELA CARVALHO, EPA REGION 10 SMALL BUSINESS LIAISON AND COMPLIANCE ASSISTANCE COORDINATOR

*What is your role within the Environmental Protection Agency's regulatory and compliance process?*

As a Regional Small Business Liaison and Compliance Assistance Coordinator, my role is to serve as a central point of contact for coordination among EPA headquarters, the EPA regional office and Region 10 states and partners as we coordinate outreach for new rules and national initiatives. With so many rules and initiatives coming out of various offices at headquarters, the regional coordinators help draw connections between the rule experts and the outreach teams throughout the regions so information can be disseminated effectively to small businesses.

*Who are your key partners you collaborate with to accomplish your mission?*

I'll mention three of the key partners that I collaborate with regularly. First, the State Small Business Environmental Assistance Programs (SBEAPs) are vital partners. Not only do they conduct significant outreach but they help me connect with partners and resources throughout the states. I hope that small businesses take full advantage of these programs, especially since many of the state environmental assistance programs offer confidentiality to businesses that want to assess how well they are complying with EPA and State environmental laws. Second, the National Compliance Assistance Centers are one-stop-shop websites for

compliance assistance organized by key industry sectors. These centers are a great place for small businesses to start their research on all aspects of environmental compliance. Finally, the Pollution Prevention Centers offer technical assistance to help businesses reduce their environmental footprint. The Pollution Prevention Centers offer a tight network of resources and information to help businesses and regulators alike and I continually use them as a resource to help answer complex pollution prevention questions.

### ***What type of outreach do you provide?***

The type of outreach I provide depends on the regulation that I'm working with and the types of businesses that are impacted. The EPA coordinators and liaisons work across all the different media programs: air, water, waste, toxics, etc. Activities include presentations at industry conferences; training events on a particular rule; regional webinars; and one-on-one assistance. I can speak for all of the coordinators and liaisons when I say that EPA wants to hear from businesses regarding the type of outreach that would work best for them. If there is an upcoming event in which EPA should give a presentation or another good avenue for outreach, please contact the coordinator and liaison in your region and invite them to participate.

### ***How can the small businesses community and small business environmental assistance providers best stay abreast of environmental requirements?***

First, the State SBEAPs and the Compliance Assistance Centers are a great resource for environmental requirement information. The EPA's Rulemaking Gateway website will give you information about new rules as they progress through the rule-making process. The site offers a number of different RSS feeds and you can sign up for to be alerted when rules are added or progress through the process. The EPA's Technology Transfer Network regularly posts new information about Clean Air Act Area Source Rules on its webpage. Your regional liaison or coordinator

can help you find specific information that you are looking for. Finally, many industry groups and trade associations publish environmental compliance information for their members through newsletters or on their websites.