



Small Business Ombudsman UPDATE



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“One-Stop” Multimedia Assistance for Small Businesses

I am pleased to announce that the 12th annual SBO/SBAP National Conference held last month in Biloxi, Mississippi, hosted by the MS Department of Environmental Quality, was a huge success! The major theme of the conference was state Small Business Assistance Program (SBAP) “one-stop” multimedia assistance for the small business community. The SBAP National Steering Committee has undertaken a “Multimedia Initiative” to promote this effort, one which EPA strongly supports.

One conference highlight featured a newly developed training workshop, *Synchronizing Your Program: A Three Part Harmony*, that integrates the three components of the state Small Business Assistance Programs. The training facilitates a better understanding of each of the component’s roles and responsibilities, as well as their inter-relationship in the larger mission of assisting small businesses achieve environmental compliance. Much of the feedback on the overall training has been overwhelmingly positive.

For my part, I will continue to make the “Multimedia Initiative” a key priority at the national level, keeping EPA senior management fully engaged with this effort. I invite you to read through this issue of the *Update* to learn more about how EPA and our partners are helping small businesses succeed while also protecting the environment.

Sincerely,

Karen V. Brown

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.

SMALL BUSINESS DIVISION
Small Business Ombudsman
Regulatory Assistance and Outreach Program

<u>FTE Employees:</u>	<u>Title</u>	<u>Contact #</u>
Karen Brown	Division Director & Small Business Ombudsman	202-566-2816
Joyce Billious	Secretary	202-566-2813
Elsa Bishop	Program Analyst	202-566-2814
Bridgette Dent	Program Assistant	202-566-2819
Earl Russell	Summer Intern	202-566-2820
Angela Suber	Program Analyst	202-566-2827

Senior Environmental Employees (SEEs):

Howard Boddie	Computer Specialist	202-566-2815
James Malcolm	Chemical Engineer, Toxic Substances and Haz Mat	202-566-2821
Esther McCrary	Senior Secretarial Support Staff	202-566-2824
Tom Nakley	Civil Engineer, CWA, SDWA and Asbestos	202-566-2826
Joseph Albright	Biologist, Asbestos, Radon, and Lead	202-566-2817

Major Functions/Products:

- Serve as a port of entry “gateway” 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 that 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
- Private Citizens
- EPA Administrator and 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 800-368-5888/Local 202-566-2855
Main Line 202-566-2822 FAX Number 202-566-2848

Ongoing Small Business Division Activities To Better Serve You

- Serving as the Agency's Point of Contact for the Small Business Paperwork Relief Act (SBPRA), and convening an Agency-wide workgroup to address the Act which requires agencies to "make efforts to further reduce information collection burdens for small business concerns with fewer than 25 employees."
- Leading Agency efforts to implement the Small Business Strategy as a means to coordinate, collaborate, and unify EPA's environmental and regulatory compliance assistance to small businesses.
- Providing recommendations to program offices on rules under development, and participating on Agency workgroups to address small business issues prior to proposal, including advocating for and participating in the Small Business Regulatory Enforcement Fairness Act (SBREFA) process.
- 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, and ensuring that program offices follow up on issues raised.
- Coordinating with the Office of Air Quality Planning and Standards to provide a grant to a different state program each year to host the annual SBO/SBAP National Conference. The state of Mississippi hosted the 12th annual SBO/SBAP National Conference in Biloxi, Mississippi, June 12-16, 2005.
- Supporting the annual Small Business Awards that are presented at the SBO/SBAP National Conference to small business leaders who have shown commitment and dedication to furthering small business assistance and environmental compliance.
- Hosting the Small Business Regional Liaison Conference for EPA regions and SBO/SBAP National Steering Committee representatives in August 2005 in Washington, DC.
- Developing Best Management Practices for certain small business sectors to help them find information on practices that are good for their businesses and the environment.
- Supporting benchmarking environmental performance through a grant with the National Center for Manufacturing Sciences to develop tools for several industry sectors: printed wiring boards, metal casting, and foundries.
- Supporting the development and distribution of promotional materials designed by the SBO/SBAP Promotional Subcommittee, to better promote the state SBAPs, and to communicate the availability of technical and other assistance provided by them.
- Supporting the Small Business Environmental Homepage (www.smallbiz-enviroweb.org), to provide SBAPs and others in the small business community with access to environmental compliance and pollution prevention information.
- Responding to over 15,000 calls on the Small Business Ombudsman Hotline throughout the year.
- Publishing periodic reports on the status of the state 507 programs for submittal to Congress, and distributing it to over 5,000 small business constituents nationwide.

**Small Business Division
Small Business Ombudsman**

BEST PRACTICES, POLICIES, AND PROGRAMS THAT HELP AMERICA'S SMALL BUSINESSES

EPA's Small Business Division is undertaking a new initiative to identify some of the Nation's exemplary practices, policies, and programs that support America's small businesses in their efforts to meet their environmental responsibilities. This effort will build upon the publication, *Opening Doors for America's Small Businesses*, which highlights the best practices, policies, and programs within EPA. We know there are many wonderful ideas and practices that exist out there, many of which are relevant to others in the network, and aim to facilitate information- and idea-sharing among regions, states, trade associations, and small businesses throughout the country to further small business compliance and environmental stewardship.

To this end, the Small Business Division is eager to hear from the regions, states, trade associations, and small businesses about successful programs and policies and the ways in which they assist small businesses achieve regulatory compliance and enhance environmental stewardship! The Small Business Division will be soliciting feedback about your best practices, policies, and programs that have proven beneficial for compliance for the states, sectors, and small businesses.

There will be more information to come as the initiative moves forward, and in the meantime, we welcome your input. Please contact Karen Brown at 202-566-2816 or brown.karen@epa.gov.

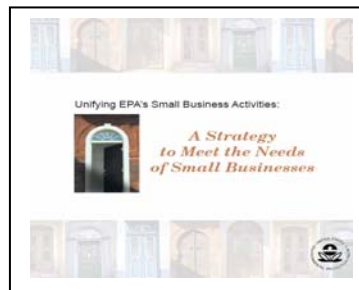
Contact: Karen Brown, 202/566-2816, brown.karen@epa.gov

EPA SMALL BUSINESS STRATEGY **Printed Color Copies Available**

EPA's Small Business Division (SBD) has just released the official EPA *Small Business Strategy* in a professionally-printed color booklet. Copies are available on request. Please send an email to Elsa Bishop (bishop.elsa@epa.gov) or call the SBD toll-free hotline (800/368-5888).

The *Small Business Strategy*, which was signed by EPA's Administrator in June, 2003, reflects EPA's approach to bringing unity and improved effectiveness to Agency-wide efforts to assist small businesses in improving their environmental performance while enhancing their "bottom line."

The final *Small Business Strategy* is available at:
http://www.smallbiz-enviroweb.org/html/pdf/Strategy_Final_062303.pdf



Contact: Elsa Bishop, 202/566-2814, bishop.elsa@epa.gov

EPA SMALL BUSINESS STRATEGY MOVING FORWARD!



With the Small Business Strategy and its Implementation Plan completed, the Small Business Division (SBD) is moving forward. The first priorities addressed include:

- Identifying opportunities to involve small businesses early in the rulemaking process – The SBD and the state SPABs are currently involved in the conceptual stages of 50 area source rules to be developed by EPA's Office of Air & Radiation.
- Considering small business needs and limitations in the E-Government initiative – SBD convened the *Small Business Forum* in October, 2004 where small business stakeholders had the opportunity to share their concerns and suggestions directly with EPA's Administrator Steve Johnson and Assistant Administrator of the Office of Environmental Information Kim Nelson, who leads the Agency's efforts on the E-Government initiative.
- Establishing a full-time "point-of-contact" at each EPA Region – The SBD has developed a draft position description for a Regional Small Business Liaison and continues to promote the establishment of this position with regional administration through its management chain.

During the *Small Business Forum*, EPA Administrator Steve Johnson challenged small business stakeholders to test the Small Business Strategy for what does and does not work and provide feedback to the Agency.

The *Small Business Strategy*, which was approved in June, 2003, reflects the changes in EPA's approach to achieving its mission of protecting human health and the environment. Over the years, EPA's focus has transitioned from strict command and control regulations, to employing voluntary policies and innovative regulatory approaches. The Agency has also made great strides in acknowledging the relevancy of the small business community to its mission, as well as to the U.S. economy. The *Strategy* recommended a wide variety of traditional and innovative approaches for addressing small businesses.

The overall goal of the Implementation Plan, which was approved on October 12, 2004, is to bring unity and improved effectiveness to Agency-wide efforts to assist small businesses in improving their environmental performance, and it establishes a general framework outlining how EPA's Program and Regional Offices will coordinate, collaborate, and unify environmental and regulatory compliance assistance to small businesses.

A cross-Agency workgroup comprised of 52 EPA staff representing eleven Program Offices and six Regional Offices were directly involved, over a period of two years, in developing both the Strategy and the Implementation Plan. That workgroup recommended activities to implement the *Small Business Strategy* and prioritized them based on expected outcome, feasibility, and resource requirements. Most of the activities addressed already exist and are, to some degree, operational within the Agency. The Implementation Plan will build on those activities, as well as on other work underway in partner agencies at the federal, state, and local levels. The Plan is not a workplan, but rather a general plan of action that focuses on broad actions and commitments.

The final *Small Business Strategy* is available at:
http://www.smallbiz-enviroweb.org/html/pdf/Strategy_Final_062303.pdf

Contact: Elsa Bishop, 202/566-2814, bishop.elsa@epa.gov

6/30/05

SMALL BUSINESS PAPERWORK RELIEF ACT

The Small Business Paperwork Relief Act (SBPRA) was passed by the 107th Congress in 2002 as H.R.327. It requires Federal agencies to take several steps to make it easier for businesses to find information needed to comply with certain Federal requirements and it established an interagency task force to examine collection and dissemination of information. SBPRA amends Federal law (U.S.C. 44, Chap. 35) to impose five very different requirements on Federal agencies. Below is a summary of each requirement, and the status of how the U.S. Environmental Protection Agency (EPA) is addressing each requirement.

Requirement 1: Publish a list of compliance assistance resources in the Federal Register and on the web each year. The lists for 2003 and 2004 were published in the *Federal Register* and posted on the OMB website.

Requirement 2: Establish an agency point of contact for small business concerns. In June 2003, **Karen V. Brown**, current EPA Small Business Ombudsman and Director, Small Business Division, was designated as the Agency's SBPRA Point of Contact.

Requirement 3: Make efforts to reduce information collection burden for small businesses with fewer than 25 employees. EPA's Small Business Division leads an Agency-wide workgroup convened to address this requirement. To date, the workgroup has developed a preliminary list, by Program Office, of current activities that may reduce burden. Precise quantification is difficult since data is not collected specifically for businesses with less than 25 employees.

Requirement 4: Establish an Interagency Task Force to study the feasibility of streamlining requirements about information collection and strengthening dissemination of information. The Task Force, which was led by OMB, completed three initial tasks assigned:

- 1) Identify ways to integrate information collection across agencies so that small businesses can submit all required information to one point of contact, in single format, with synchronized reporting;
- 2) Look at feasibility and benefits of publishing a list of the "collections of information applicable to small business concerns" by NAICS code, sector, or other manner; and
- 3) Look at savings and make recommendations for electronic submissions (reporting), and interactive reporting systems.

The Task Force published its final report in June, 2003 on the first three tasks assigned. The Task Force was then assigned three additional tasks:

- 4) Make recommendations to improve electronic dissemination of reporting information;
- 5) Make recommendations to develop an interactive Government-wide internet-based system to allow each small business to better understand and comply with applicable Federal requirements; and
- 6) Consider coordinating with States and Agency points of contact.

The Task Force, led by SBA's Office of Advocacy, included high-level EPA management representatives. Based on feedback received during a February, 2004 public outreach meeting, and the interagency work underway for the Business Gateway and E-forms initiative, the Task Force developed and published its final report in June, 2004.

Requirement 5: An annual report to Congress by each agency:

- on the number of enforcement actions taken with civil penalty
- on the number of enforcement actions taken with civil penalty against small entity
- on the number of enforcement actions where the penalty was reduced or waived
- on the total dollar value of any reductions
- for the year ending September 30, 2003; due on December 31, 2003
- for the year ending September 30, 2004; due on December 31, 2004

In compliance with this requirement, EPA prepared and submitted to Congress reports for 2003 and 2004.

In addition to the requirements stated in the Act, OMB asked federal agencies to submit an **SBPRA Plan**, due January 10, 2005, outlining: 1) efforts to enhance or expand compliance assistance resources for small businesses; 2) ongoing or planned outreach efforts to small businesses regarding paperwork burden issues; and 3) ongoing or planned actions that will reduce the paperwork burden on small businesses. In response, EPA developed and submitted its report addressing the three areas in January, 2005.

SBPRA: <http://www.whitehouse.gov/omb/inforeg/sbptra102803.html>

Contact: EPA's SBPRA "Point of Contact" - Karen Brown, 202/566-2816, brown.karen@epa.gov 6/30/05

Multimedia Update

The Multimedia Initiative

Since the implementation of the 1990 Clean Air Act Amendments, state Small Business Assistance Programs (SBAPs), have provided much-needed technical and compliance assistance on air-related issues for the small business community. Building on the appreciation for this service and the reality of time constraints and limited resources, small businesses have voiced their desire for “one-stop” assistance for their diverse regulatory assistance needs. A number of states have officially established multimedia programs, offering water, waste and pollution prevention compliance assistance to small businesses. Many other states would like to do the same.

In October 2004, members of the SBAP National Steering Committee (NSC) and National Compliance Advisory Panel met with senior EPA officials to discuss their perspective on multimedia assistance, including the benefits and challenges of implementation within the state SBAP programs. From that meeting emerged the development and formalization of an NSC-led Multimedia Initiative. The Multimedia Initiative aims to identify states that have successfully established a multimedia assistance program, as well as to provide a framework for states that want to establish one. The NSC has identified four basic management models that best describe the structure of all compliance assistance programs, including multimedia assistance programs, and continues to explore other potential models. The four basic management models are:

1. **Regulatory agency:** The Program is housed in the state environmental regulatory agency.
2. **University:** The Program is housed in a state college or university, with a contract from the state to provide air emission regulatory compliance assistance.
3. **Small Business Development Center:** The Program is housed in a Small Business Development Center (SBDC) within the state, with a contract from the state to provide air emission regulatory compliance assistance.
4. **Other State Agency:** The Program is housed in a state economic development agency (e.g., Department of Commerce) or in another state agency, with a contract from the state regulatory agency to provide air emission regulatory compliance assistance.

The NSC Multimedia Subcommittee has previously collected data from some states regarding their multimedia assistance program. The NSC will gather additional information from states with established multimedia programs in order to provide more detailed program descriptions to states seeking to establish multimedia programs. The models will serve to assist states in designing a multimedia program that aligns most closely with their management model.

The Multimedia Peer Center (MPC)

The MPC is an online resource designed to help state SBAPs become multimedia programs and for states that want to improve their program’s multimedia services. The MPC provides mentor profiles and contact information for the eight operational multimedia programs that have volunteered to provide assistance to other programs. The Center also offers an online searchable database for relevant multimedia resources.

Visit the Multimedia Peer Center for more information:
http://www.smallbiz-enviroweb.org/sba/multimedia_peer_center.html

Contact: Elsa Bishop, 202/566-2814

The Pesticide Registration Improvement Act: Small Business Implications

On January 23, 2004, President Bush signed the Consolidated Appropriations Act of 2004. This Act established a new registration service fee system for applications for pesticide registration and amended registration. Under this system, fees are now charged for covered applications received by the Agency. EPA is required to make a determination on the application within specified decision time review periods. The goal of the statute, called the Pesticide Registration Improvement Act (PRIA), is to create a more predictable evaluation process for affected pesticide decisions and to couple the collection of individual fees with specific decision review periods. The statute also promotes shorter decision review periods for applications that qualify for reduced-risk status. The fee system is authorized until September 30, 2010, although the decision times under the system do not apply to applications received after September 30, 2008. The statute also extends the Agency's authority to collect pesticide registration maintenance fees for another five years. PRIA became effective on March 23, 2004.

A critical component of PRIA is a change in the small business definition under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). With this amendment, a company can qualify as a small business if it employs 500 or fewer employees, and the company, as well as its affiliates, has global gross revenues from pesticides that do not exceed \$60 million. Companies that meet the new small business definition are eligible for a 50 percent waiver of the applicable registration service fee. If a company meets the small business definition and their annual gross global revenues from pesticides are less than \$10 million, the Agency will waive the full registration service fee. Under the statute, the fee waiver provisions do not apply to the annual maintenance fee payments.

For an application to be deemed complete and subject to the decision review periods, a registrant is required to pay the applicable fee or receive a waiver from the fees. For most applications, the decision review period starts 21 days after submission of the application – provided it includes the applicable fee and all the necessary forms, labeling and documents certifying payment of the fee. If the registrant requests a waiver or reduction of the fee, the Agency has 60 days to review the request. If the Agency grants a full fee waiver, the decision time review period begins on the date the full fee waiver is granted. If the Agency grants a partial waiver, the decision time review period begins when the correct payment amount is received or when the waiver is granted, whichever is later. If a waiver or fee reduction request is denied, the decision time review period begins when the full payment is received.

The Agency has created a Web site dedicated to implementation of PRIA: <http://www.epa.gov/pesticides/fees>. Questions regarding the statute can be submitted via e-mail to service.fees@epa.gov. A workgroup comprising representatives of registrant companies and trade associations designed a form for assisting registrants when they submit small business waiver requests under PRIA. Use of the form is voluntary. This form can be accessed at: <http://www.epa.gov/pesticides/fees/questions/waivers.htm>.

Contact: Karen Brown at (202) 566-2816 or via email at brown.karen@epa.gov



NEW EPA ADMINISTRATOR CONFIRMED

– New Administrator Announces New Members of EPA's Management Team

EPA Administrator – On May 2, 2005, **Stephen L. Johnson** was sworn in by President Bush as EPA's 11th Administrator. Mr. Johnson has worked for EPA for 24 years and had been serving as Acting Administrator since January, 2005. Prior to his role as Acting Administrator, Mr. Johnson had served as Deputy Administrator (8/04 - 1/05); as Acting Deputy Administrator (7/03 – 8/04); as Assistant Administrator of the Office of Prevention, Pesticides, and Toxic Substances (6/01 – 7/03); and held several other top-ranking positions prior to that. New Administrator Johnson is the first career employee to hold the office of Administrator, and is also the first professional scientist to lead the Agency. Prior to EPA, Mr. Johnson served as Director of Operations at Hazelton Laboratories Corporation and Litton Bionetics, Inc.

EPA Deputy Administrator – On June 1, 2005, President Bush nominated **Marcus Peacock** as EPA's Deputy Administrator. Mr. Peacock, whose nomination is pending Senate confirmation, currently serves as Associate Director for Natural Resources, Energy, and Science at the President's Office of Management and Budget (OMB). Prior to his position at OMB, Mr. Peacock served as the Staff Director for the US House of Representatives Oversight and Emergency Response Subcommittee of the Committee on Transportation and Infrastructure, where he managed oversight hearings and legislation related to EPA, DOT and FEMA.

Following his confirmation, Administrator Johnson has announced several appointments to EPA's Senior Management Team:

Chief of Staff – Charles Ingebretson; announced 5/18/05; served as EPA's Associate Administrator for the Office of Congressional and Intergovernmental Relations (4/04 – 5-05). Prior to EPA, served as Government Relations Counsel at Honeywell International, Inc.; spent two years with the law firm of Bracewell & Patterson, LLP; was Minority Counsel for the House of Representatives Committee on Energy and Commerce, and General Counsel for the House Committee on Commerce (1990 – 1998). He is an alumnus of Duke University and the Notre Dame School of Law.

Assistant Administrator, Office of Administration and Resources Management (OARM) – Luis A. Luna; sworn in 5/2/05; prior to EPA, headed the US Department of Agriculture's Office of Community Development; served as Director of the Greater Salisbury Committee, a non-profit organization of nearly 100 Maryland CEOs; served 11 years on Capitol Hill and 3 years as a Policy Advisor in the Executive Branch; earned a BS degree from the University of Maryland, College Park, and a JD degree from Georgetown University Law Center.

Assistant Administrator, Office of Enforcement and Compliance Assurance (OECA) – Granta Y. Nakayama; announced 6/23/05, Senate confirmation pending; currently with the law firm of Kirkland & Ellis, LLP (1994 – Present); prior to K&E, served in US Navy's nuclear submarine service; currently serves as Adjunct Professor of Law at George Mason University School of Law; earned School of Business and Masters of Science degrees from Massachusetts Institute of Technology (MIT), and JD degree from George Mason University School of Law.

Associate Administrator, Office of Public Affairs (OPA) – Robert P. Hopkins; announced 6/30/05; currently serves in the White House Office of Science & Technology Policy; formerly, External Affairs Director for the National Oceanic & Atmospheric Administration (NOAA), where he developed and implemented the Global Earth Observation System of Systems (GEOSS); prior to government, worked in management roles for strategic communications firms focused on the high tech sector; served in US Navy (1990 – 1995); earned Bachelor degree from the University of Maryland and Masters degree from George Washington University Graduate School of Political Management.

Assistant Administrator, Office of Solid Waste & Emergency Response (OSWER) – Susan P. Bodine; announced 6/28/05, Senate confirmation pending; currently serves as Staff Director and Senior Counsel for the US House of Representatives Water Resources and Environment Subcommittee of the Committee on Transportation and Infrastructure; prior to her current position, served as counsel to the same subcommittee for 6 years; was with the law firm of Covington & Burling; earned AB degree from Princeton University and JD degree from the University of Pennsylvania School of Law.

Benchmarking Environmental Performance

The National Center for Manufacturing Sciences' (NCMS) Benchmarking team is working with several national trade associations and the USEPA Small Business Division (SBD) to develop benchmarking tools that apply to the environmental performance of a variety of small business industry sectors, including printed wiring boards, metal casting, and printing.

Why Benchmark?

- To provide companies with a user-friendly tool to compare their performance with their peers
- To show the potential company savings associated with improving performance level

Benchmarking Hurdles

- **Metrics:** identifying variables that affect environmental performance, selecting metrics that are commonly available, and finding broadly applicable and meaningful factors that account for differences in production volume
- **Confidentiality:** assurances, difficulties with anonymous results (e.g., no opportunity for follow-up)
- **Participation:** getting sufficient number of companies involved, finding incentives

The Approach We Take

- **Trade Association Participation:** uses existing lines of communication and mechanisms
- **Third Party Data Management:** protects confidentiality, facilities are coded
- **Preliminary Survey:** collects basic information, gets companies involved without significant time commitment, learning exercise
- **Detailed Survey:** builds on preliminary survey, provides detailed data needed for completing analysis
- **Statistical Analysis:** identifies important variables and generates model coefficients

Generate Valuable Products for the Association and Industry Participants

- **Summary Report:** A plain language summary report assembled from the statistical analysis that explains why and how to apply the benchmarking results.
- **Benchmarking Tool:** A "report card" generator with a user-friendly interface. This tool shows how well a company stacks up against its peers and the potential dollar savings associated with stepwise improvements in environmental performance.

Results to date

- Benchmarking studies are currently underway in the following sectors:
 - Metal casting
 - Metal finishing
 - Printed wiring boards
 - Electromechanical systems
- **Results:** The NCMS Benchmarking tool for metal finishing has recently been supplemented with 2004 data. To see the tool in action, visit <http://www.strategicgoals.org/03cards/card.cfm> and select among three types of individual facility reports or statewide summaries.

Contact: Angela Suber, 202/566-2827, suber.angela@epa.gov

EPA REGULATORY AGENDA – May 16, 2005

Potential Impacts on Small Businesses

Twice each year, EPA publishes the Semi-Annual Regulatory Agenda to update the public about:

- Regulations and major policies currently under development
- Reviews of existing regulations and major policies
- Regulations and major policies completed or canceled since the previous Agenda

Under the Regulatory Flexibility Act (RFA)/Small Business Regulatory Enforcement Fairness Act (SBREFA), EPA must prepare a formal analysis of the potential negative impacts on small entities, convene a Small Business Advocacy Review Panel on proposed rules, and prepare a Small Entity Compliance Guide on final rules, unless the Agency certifies that a rule will not have a significant economic impact on a substantial number of small entities (SISNOSE). The Semi-Annual Regulatory Agenda lists all rules which will have a SISNOSE and trigger the SBREFA process. It also lists those rules that may affect small entities, but which are not expected to have a SISNOSE and thus do not trigger the SBREFA process.

The May, 2005 Agenda lists the following **eleven EPA rules** as triggering the SBREFA process:

- Control of Emissions of Hazardous Air Pollutants from Mobile Sources
- Control of Emissions from New Locomotives and New Marine Diesel Engines Less than 30 Liters per Cylinder
- Control of National Primary Drinking Water Regulations; Emissions from Spark Ignition Engines and Fuel Systems from Marine Vessels and Small Equipment
- Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Small Equipment
- Rulemaking on Section 126 Petition from North Carolina to Reduce Interstate Transport of Fine Particulate Matter and Ozone
- Phase I (FIP) to Reduce the Regional Transport of Ozone in the Eastern United States
- Lead-based Paint Activities; Abatement Amendments for Renovation and Remodeling
- Lead-based Pain Activities; Voluntary Program for Renovation and Remodeling
- National Primary Drinking Water Regulations; Groundwater Rule
- National Primary Drinking Water Regulations; Radon
- National Primary Drinking Water Regulations; Revisions to the Total Coliform Monitoring and Analytical Requirements and Additional Distribution System Requirements

The May, 2005 Agenda also lists **110 EPA rules** that will **not** trigger the SBREFA process, but which may affect small entities, including 32 NESHAPs. Due to the large number, all are not listed here. **The Small Business Division is currently tracking 62 rules that could impact small businesses.** Below are some of the major rules that we are currently tracking.

- CAA – NESHAPs: Area Source Rules (50); Residual Risk Rules (13); VOC: Architectural Coatings & Consumer Products; Clean Air Mercury Rules
- CWA – Definition of Waters of the US; SPCC Rule; National Primary Drinking Water Regulations (3)
- EPCRA – Amendments to EPCRA (Sara Title III); TRI Rules (8)
- FIFRA - Pesticides: 1) Management & Disposal; 2) Tolerance & Processing Fees; 3) Data Requirements (several); 4) Registration Review; 5) Registration Requirements
- RCRA – Revision to Definition of Solid Waste; Burden Reduction; Solvent-contaminated Industrial Wipes
- TSCA – Significant New Use Rules (2); lead-based Sinkers Proposed Ban; Lead-based Paint; Chemical Right-to-Know; Testing Agreements (7)

In the previous issue of the Agenda (December, 2004), **eight rules** were listed for which the Agency is conducting a review as required by the Regulatory Flexibility Act (RFA). **Section 610 of the RFA** requires that the Agency review, after ten years of promulgation, each rule that has or will have a significant economic impact on a substantial number of small businesses. These reviews will be used to decide whether a rule should be continued unchanged, amended, or withdrawn. In this issue of the Agenda (May, 2005), no additional rules were listed for 610 review; however, **two rules** are listed for which the 610 reviews **have been completed**. The eight rules listed in December, 2004 for 610 review are listed below. Please note that the two completed are bolded and italicized.

- Fuels and Fuel Additives Registration Regulations
- Emission Standards for New Nonroad Spark-Ignition Engines at or below 19 Kilowatts
- NESHAP: Secondary Lead Smelting
- NESHAP: Petroleum Refineries
- ***WPS: Pesticide Worker Protection Standard (WPS) Rule (completed)***
- ***Lead: Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities (completed)***
- Land Disposal Restrictions Phase III: Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners
- Land Disposal Restrictions Phase II: Universal Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes

NATIONAL COMPLIANCE ADVISORY PANEL

RECENT ACTIVITIES



The National Compliance Advisory Panel (NCAP) is committed to supporting the state SBAPs and CAPs, and develops and implements strategies and activities structured to achieve that goal, in coordination with the SBO/SBAP National Steering Committee.

NCAP Statement on Multi-Media Services - As small business owners/representatives, the NCAP strongly supports the concept of "one-stop-shopping" for small businesses, appreciates and recognizes those programs that have expanded their scope, and encourages the conversion of other state SBAPs to multi-media services. This White Paper, which was finalized in 2004, is intended to express the NCAP's support for conversion to multi-media services. The NCAP intends to use this document in its outreach efforts on behalf of the state programs, and hopes that states will use it as a tool to try to convince state environmental managers and legislators in their pursuit of providing multi-media services.

NCAP Guidelines – The NCAP was established in 2001. Its original guidelines were fashioned after the guidelines of the SBO/SBAP National Steering Committee. Through the past three years, various situations have arisen which indicated that the guidelines did not adequately address the needs of the NCAP. Thus, revised guidelines were developed and thoroughly reviewed by all members. Final revised NCAP Guidelines were approved during the NCAP meeting held in conjunction with the National Conference in Sacramento in 2004. Subsequently, on March 15, 2005, members voted to revise the guidelines to clarify member release language.

Congressional Outreach - On February 26-27, 2003, NCAP members met with high-ranking members of Congress or their staffs in Washington, DC. to increase their awareness of the SBO/SBAP Program. Members felt that this Congressional Outreach effort was extremely successful and that it significantly raised awareness, as well as provided the vehicle for establishing a direct line of communication. In support of the currently-proposed "SBAP Multi-Media Initiative," the NCAP has outlined a potential outreach strategy that would involve state CAPs and the NCAP to garner support for conversion to multi-media services and to seek additional funding, beyond emission fees, for the state SBAPs. Any efforts in this regard will be fully coordinated with the SBO/SBAP National Steering Committee.

2004 Annual CAP Training - The NCAP was very involved in developing and presenting the 2004 Annual CAP Training session held on Saturday, June 5 in Sacramento, California, again in conjunction with the Annual SBO/SBAP National Conference. The agenda for the annual CAP Training was developed in a collaborative effort between the NCAP and EPA's Small Business Division, with various members of the NCAP participating as presenters.

NCAP News – The last issue of the "NCAP News" was issued in November 2004. Based on discussions among the members and with the SBO/SBAP National Steering Committee, the NCAP regional representatives sent the newsletter to all – state CAP members, SBOs and SBAPs – in their respective regions. The "NCAP News" highlights activities undertaken by state CAPs. State CAPs are requested to provide input for future issues of the newsletter.

Regional Call Participation – During the 2003 National Conference in Baltimore, the NCAP requested that the National Steering Committee poll regional representatives on potential participation by NCAP regional representatives in regional calls. The poll indicated that, while not all regions have regular conference calls, those that do would welcome participation by NCAP members. Please invite your NCAP regional representative to participate. This is another effort by the NCAP to establish more direct communication with state CAPs and SBAPs in their regions.

SBO/SBAP National Steering Committee Subcommittees – The National Steering Committee has expressed an interest in having the NCAP represented in its various subcommittees to directly provide the small business perspective. NCAP members are willing to participate. To date, Reimar von Kalben, Region 8, serves on the Awards Subcommittee; Bob Nicholson, Region 5, serves on the Multi-Media Subcommittee; Gary Dawson, Region 4, serves on the Promotional Subcommittee; NCAP Vice Chair Frances Hartwell, Region 10, represents the NCAP on the SBO/SBAP NSC, serves on the 2005 National Conference Planning Committee, and on the Auto Body Refinishing Workgroup of the Technical Subcommittee.

Area Source Rules – In support of the efforts of the NSC Technical Subcommittee, the NCAP sent a letter to all state CAP members urging their response to the Subcommittee's request for information regarding current state rules and potentially affected sources.

Special Events and Activities – NCAP Chair Ken Legler and Vice Chair Frances Hartwell were featured speakers during the "Small Business Forum" held in Washington, DC on October 6, 2004, to provide the small business perspective on current key EPA initiatives. Gary Dawson, Region 4 representative, also participated in the Forum. All three participated in a meeting of stakeholders on October 7, 2004 to discuss the proposed Area Source Rules, and NCAP Chair Ken Legler participated in a meeting with top EPA management to discuss potential conversion of state SBAPs to provide multi-media services, also held on October 7, 2004.

Environmental Assistance



Cures the Regulatory Blues

2005 SBO/SBAP National Conference
June 12-16, 2005
Biloxi, Mississippi



Bear River



ANNUAL SBO/SBAP NATIONAL CONFERENCE

Congratulations to Jesse Thompson, Small Business Ombudsman, and his staff with the Mississippi Department of Environmental Quality's Small Business Assistance Program for hosting an outstanding national conference this year! The conference was held in Biloxi, Mississippi, June 12-15, 2005. Their efforts made this conference a tremendous success and an enjoyable experience for all who participated.

It is amazing how much has been accomplished since our first meeting in 1993, and by continuing to strengthen our network and partnerships, we can accomplish even more as we move forward. The conference afforded us all an opportunity to learn, share information, and enjoy the surroundings. It is an annual event that you should not miss!

Please plan to attend the next SBO/SBAP National Conference, March 2006, in New Hampshire. For further information about the 2006 national conference contact: Rudy Cartier, New Hampshire, Small Business Ombudsman, at 603-271-1379 or via email at rcartier@des.state.nh.us.

Contact: Angela Suber, 202/566-2827, suber.angela@epa.gov



Environmental Leadership Recognized in Biloxi

The 2005 SBO/SBAP National Conference included presentations of the second annual Small Business Awards. The awards were presented on June 13th by representatives from the following organizations:

- National SBO/SBAP Steering Committee
- National Compliance Advisory Panel, and
- US Environmental Protection Agency Small Business Ombudsman

Ken Legler, Chair of the National Compliance Advisory Panel, presented Small Business Environmental Stewardship Awards to two businesses:

- **Washboard Laundry**, Portland, ME, owned by Jason Wentworth and Sandrine Chabert was recognized for community environmental leadership.
- **Mac's Radiator and Air Conditioning**, Portland, Oregon, owned by Stephen MacDonald and managed by Teresa Conger was recognized for pollution prevention leadership.

Ron Dyer, Chair of the SBO/SBAP National Steering Committee, presented Small Business Assistance Program Awards to nominees working in state assistance programs.

- **Pam Christenson**, Director of Entrepreneurship, Wisconsin Department of Commerce, and formerly Wisconsin Small Business Ombudsman received the SBO/SBAP Leadership Award, for program initiatives at the state and national level.
- **Joni Canterbury and Margo Griffin** with the Colorado Small Business Assistance Program received the State Program Leadership Award for the variety of compliance assistance activities they offer in Colorado with a small staff.

Jay Benforado, Director of the EPA National Center for Environmental Innovation, presented the Trade Association Environmental Partnership Awards to three printing associations. These three trade associations have partnered with state and national small business assistance programs to improve environmental compliance by the printing industry. The awards were given to:

- **Flexographic Technical Association**, Doreen Monteleone accepting
- **Specialty Graphic Imaging Association**, Daniel Waterfield accepting
- **Printing Industries of America/Graphic Arts Technical Foundation**, Gary Jones accepting

Comments from the award winners emphasized the value of recognition for people who are leaders in environmental compliance.

Please contact Rosemarie Wilmoth, Chair, National Awards Subcommittee, at (502) 564-2150, x-128 or via email at RoseMarie.Wilmoth@ky.gov; or Linda Hayes-Gorman, Co-Chair, National Awards Subcommittee, at (541) 388-6146, x-274 or via email at gorman.linda@deq.state.or.us, for additional information about this awards program.

Contact: Angela Suber, 202/566-2827, suber.angela@epa.gov

FIRST SBO/SBAP/CAP PROGRAM TRAINING WORKSHOP HELD IN BILOXI

Honoring the request both from previous training participants and the 2005 Conference Planning Committee for a joint SBO/SBAP/CAP training program to facilitate interaction and communication among the components, EPA's Small Business Division held the inaugural SBO/SBAP/CAP Program Training Workshop on Sunday, June 12, 2005 in conjunction with the SBO/SBAP/CAP National Conference in Biloxi, MS. In spite of hurricane concerns, flight delays, rerouted flights, and a general lack of sleep, 42 participants were present for a successful training workshop!


The training was a 6-hour workshop that integrated SBOs, SBAPs, and CAP members to facilitate a better understanding of each component's role and responsibilities, as well as their inter-relationship in the larger mission of assisting small businesses achieve environmental compliance. New and seasoned SBOs, SBAPs, and CAPs from 21 states participated, creating a dynamic atmosphere in which constructive ideas, perspectives, and advice flowed freely throughout the day. Participants also had opportunities for introspection: looking inwardly to assess their interpersonal and communication skills, and identifying the avenues through which these skills were applied in their day-to-day activities, as well as areas in which these skills could be improved. Several interactive exercises and discussions facilitated interaction among SBOs, SBAPs, and CAPs, and lessons were learned from old friends and newcomers alike.

As promised, the participants left the workshop with a tailored list of ideas and tools to enhance their programs, and their roles within the program. To conclude the training, all participants were provided extensive take-home resource materials electronically on a 64-megabyte jump drive or "datastick." The electronic resources included Statutes, Regulations, and Federal Guidance documents; a summary of the Small Business Stationary Source Technical and Environmental Compliance Assistance Program; EPA's Structure, Responsibilities, and Resources; Tools, including training materials; Resources from the Small Business Division and the Small Business website, and two PowerPoint presentations, each providing an overview and update of the program. These presentations were designed to be tailored by each state, for specific audiences, in the on-going outreach efforts undertaken by SBOs, SBAPs and CAP members.

SMALL BUSINESS RESOURCES AVAILABLE ELECTRONICALLY

All participants in the 2005 SBO/SBAP/CAP Program Training Workshop received a jump drive ("datastick") complete with a vast array of resources. Due to the resounding popularity of the electronic resource, and its potential as a "sharing" tool, EPA's Small Business Division will provide it to states not represented at the workshop first, and then to others on a first-come-first-serve basis. Additionally, training presentations are also available to all on CD.

Please request via email to Elsa Bishop at bishop.elsa@epa.gov.



The training was hailed a success, and comments received following the training include:

- "Allowed me to get a better understanding of how the programs work together."
- "[The training] gave me ideas on training I need and areas where I can improve."
- "There was great benefit in having this training designed for CAPs and SBOs jointly."
- "It was worth working on a Sunday!"
- "Networking opportunity and information exchange that occurred today was very impressive."
- "Update and repeat next year!"
- "The datastick is a great tool! I can now share lots of information about the program with others who were not able to attend."

The content and support for the workshop was made possible by Karen Brown, EPA SBO, and the EPA Small Business Division (SBD) staff; leaders from the SBO/SBAP National Steering Committee and the National CAP; and the SBO/SBAP National Conference planners. The training was developed and presented by Elsa Bishop, EPA SBD, and a team of consultants from PRIZIM Inc.

Thanks to all who helped to make this training a success!

Contact: Elsa Bishop, 202/566-2814, bishop.elsa@epa.gov

7/7/05

UPCOMING EVENTS

(SAVE THESE DATES AND MARK YOUR CALENDARS)

July 12, 2005 - July 15, 2005

2005 Community Involvement and Training Conference: "Building Bridges Through Strong Partnerships"

Buffalo, NY

Contact Info: Lisa Gebler, Community Involvement Conference Coordinator, 301-589-5318

Web site: www.epanic.org/2005 E-mail: ciconference@emsus.com

July 12, 2005 - July 13, 2005

Flexible Air Permitting Workshop

Atlanta, GA

Contact Info: Clifford Beller at 404-562-9022

Web site: www.epa.gov/region4/index.html E-mail: beller.clifford@epa.gov

July 12, 2005 - July 14, 2005

EMS Implementation Training - Beaumont

Beaumont, TX

Contact Info: Larrissa Peter at 512-239-3100. E-mail: lpeter@tceq.state.tx.us

Web site: cleantexas.org/index.cfm?fuseaction=public.eventspast_view&id=81&cyear=2005

August 25, 2005 - August 26, 2005

Great Lakes Regional Pollution Prevention Roundtable 2005 Summer Conference

New York, NY

Contact Info: Debra Jacobson, GLRPPR Executive Director, at 630-472-5019.

Web site: www.glrppr.org/meetings/NewYork2005/ E-mail: djacobso@wmrc.uiuc.edu

September 7, 2005 - September 9, 2005

2005 Environmental Council of States (ECOS) Annual Meeting

Kennebunkport, ME

Contact Info: Lia Parisien at 202-624-3674

Web site: <http://www.ecos.org/section/events>

September 28, 2005 - October 1, 2005

SGIA '05 - The Specialty Printing and Imaging Technology Show

New Orleans, LA

Contact Info: Specialty Graphic Imaging Association at 888-385-3588

Web site: www.sgia.org/sgia05/ E-mail: sgia@sgia.org

October 17, 2005 - October 20, 2005

Air Toxics Summit: Region X

Portland, OR

Contact Info: Sarah Armitage, Oregon Department of Environmental Quality, 503-229-5186

E-mail: ARMITAGE.Sarah@deq.state.or.us

November 2, 2005 - November 4, 2005

Brownfields 2005, Denver CO

Web site: www.brownfields2005.org

**CHECK FOR OTHER INDUSTRY SPECIFIC MEETINGS AND CONFERENCES AT:
<http://www.smallbiz-enviroweb.org/news/events/default.asp>**

Small Business Environmental Home Page

<http://www.smallbiz-enviroweb.org>

The Small Business Environmental Home Page (Home Page) is maintained by *Concurrent Technologies Corporation (CTC)* under funding provided by U.S. EPA Small Business Division/Small Business Ombudsman. The Home Page provides efficient access to EPA, state, and other environmental and pollution prevention information focused on small business. Some of the most recent updates include the following:

- The **Multimedia Peer Center (MPC)** has been launched. The MPC, an online resource center designed to help Section 507 SBO/SBAP programs that want to become multimedia programs or want to improve their programs' multimedia services, is located at: www.smallbiz-enviroweb.org/sba/multimedia_peer_center.html. The MPC web page includes information about the center, the list of questions answered by mentor programs, a complete list of mentor programs, and an online searchable database of mentor programs. Go to the web page to find information about how your program can become a mentor program.
- A new **Promotional Success Stories Database** is being developed. Go to www.smallbiz-enviroweb.org/sba/promotional_success_stories.html to search the database for national, state, and industry initiatives, as well as individual case studies. Please share your successes through an easy-to-use online form so that others can benefit from your experiences.
- The **2005 Small Business Awards**, including information about the awards and how to nominate a person or organization on line, was posted at: www.smallbiz-enviroweb.org/sba/awards_subcommittee_2005.html. Go to the 2005 Small Business Awards web page to find out who received the 2005 awards at the 2nd Annual Small Business Awards Ceremony on Monday, June 13th at the 2005 SBO/SBAP National Conference in Biloxi, Mississippi.
- There are now over 9,350 state, federal, trade association, and other publications and factsheets in the online **Publications Database**: www.smallbiz-enviroweb.org/pub_video/publications.asp. Over 775 have been added in the last 6 months!
- The **National Small Business Financial Assistance Work Group (NSBFAWG)** still needs your help! Will someone step forward to lead this effort to help 507 programs develop strategies on providing financial assistance to small businesses? For more information about the Work Group, go to www.smallbiz-enviroweb.org/NSBFAWG/NSBFAWG.html and email Audrey Zelanko!

Please send information, revisions, questions, and comments to: **Audrey G. Zelanko** at zelanko@smallbiz-enviroweb.org, 724/452-4722.

Small Business Environmental Home Page

www.smallbiz-enviroweb.org

Helping small businesses access environmental compliance and pollution prevention information



May 2005

Small Business Assistance



State small business assistance programs (SBAPs) — small business assistance providers — small business initiatives/policies/laws — small business ombudsman (SBO)/SBAP National Steering Committee — SBAP national logo — SBTCP Reports to Congress — ten state demonstration projects — SBO/SBAP conference presentations — small business web sites/documents — SBAP/multimedia survey database — guidelines survey database — national and state compliance advisory panel (CAP) — performance measurement tools/success stories database — multimedia peer center (MPC) — promotional success stories database — Mid-Atlantic Region web page

What is the Promotional Success Stories Database?

The Promotional Success Stories Database is an online searchable database of successful national, state, and industry initiatives, as well as individual case studies, provided by the Section 507 SBO/SBAP programs.

News and Events

Upcoming events database — news to share — state newsletters — Small Business Quarterly News Alerts — EPA SBO Update Newsletters

Environmental Compliance



Regulatory updates database — federal environmental law summaries — reporting calendar/summaries — reporting and recordkeeping requirements checklist — state environmental agency and SBAP web sites — regulatory compliance web sites and guidance documents

Contact Audrey G. Zelanko with questions or comments:
724/452-4722 or
zelanko@smallbiz-enviroweb.org

SBO-SBAP Listserve

Forum for the small business community to exchange ideas and share information — open to SBOs, SBAPs, small businesses, trade associations, technical assistance programs, educators, researchers — approximately 160 subscribers

What's New This Year?

- ◆ Multimedia Peer Center (MPC)
- ◆ Promotional Subcommittee web page and success stories database
- ◆ 2005 Small Business Assistance Awards—online information and application
- ◆ Air Compliance Links web page
- ◆ Results from 2004 EPA Customer Satisfaction Survey

What is the Multimedia Peer Center?

The Multimedia Peer Center is an online resource center for Section 507 SBO/SBAP programs that want to become multimedia or want to improve their programs' multimedia services.

Publications

Publications database (over 9,350) — EPA SBO list of publications — key small business publications — videos database

Funding Help



Definition of 'small business' — state financial assistance program links — federal and non-profit financial assistance program web sites — financial assistance program survey database — National Small Business Financial Assistance Work Group web site

Industry Sectors



Industry sector links — compliance assistance centers — trade association web sites — other helpful links

Pollution Prevention

Pollution prevention links — ISO 14000 web sites — recycling waste exchange web sites

Contacts

Small business environmental assistance providers — EPA SBO — EPA regions — EPA small business contacts — OSHA regional/area offices — State SBAPs — SBO/SBAP national steering committee members — national/state CAP members — trade association representatives — small business community key members

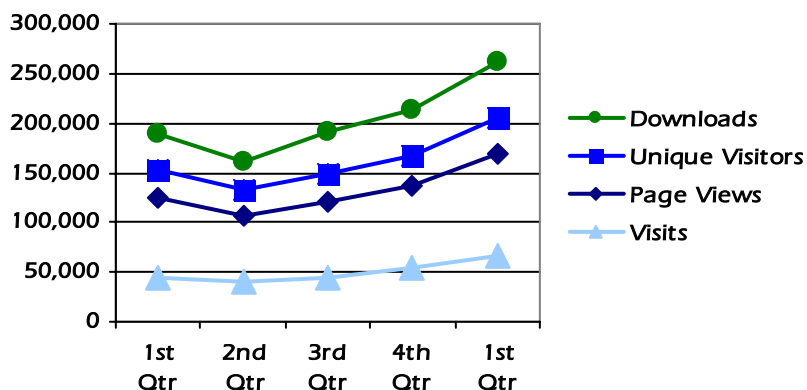


Small Business Environmental Home Page User Statistics

How Much is the Home Page Used? (1st Quarter 2005)

- ◆ 393,915 successful hits
- ◆ 4,376 average hits per day
- ◆ 102,454 page views
- ◆ 1,138 average page views per day
- ◆ 66,416 visits
- ◆ 737 average visits per day
- ◆ 36,993 unique visitors
- ◆ 56,238 downloads (does not include documents that are linked externally)

2004-1st Q 2005 User Statistics Trends



Top 10 Pages Visited (1st Quarter 2005)

1—Top Page	7,403
2—News Scroller	3,724
3—Upcoming Events (All Events)	3,091
4—Links to State Environ. Agencies and SBAPs	2,453
5—State Financial Assistance Programs	1,765
6—SBAPs List of Contacts	1,341
7—Trade Associations	1,322
8—All Publications	1,318
9—Upcoming Events, Search by EPA Region	1,308

86% of visits are from North America; 84% from the U.S.

95% of visits are from the U.S. and the following countries: Canada, United Kingdom, Australia, India, Israel, China, Germany, Netherlands, Western Europe, Nigeria, Ivory Coast, South Africa, South Korea, Malaysia, Norway, Thailand, France, Japan, and Denmark.

Top 10 Downloads (1st Quarter 2005)

1—Practical Guide to Environmental Management for Small Business	3,084
2—SBO Key Contacts in the Small Business Community	2,331
3—Documenting Your Environmental Management Plan, A Workbook for Small Business	1,945
4—Funding Opportunities—A Directory of Energy Efficiency, Renewable Energy, and Environmental Protection Assistance Programs	1,490
5—Household Hazardous Waste Management, A Manual for One-Day Community Collection Programs	1,326
6—How to Setup A Local Program To Recycle Used Oil	1,232
7—Decision-Makers' Guide to Solid Waste Management, Volume II	1,227
8—Managing Your Hazardous Waste, A Guide for Small Businesses	1,136
9—A Resource Directory of Small Business Environmental Assistance Providers	1,127
10—Controlling Emissions from Emergency Standby Engines	845

Glossary

Hit = Each file requested by a visitor. There can be several hits per page.

Page View = Hit to any file classified as a page.

Visit = Series of actions that begin when a visitor views their first page from the server, and ends when the visitor leaves the site or remains idle beyond the idle-time limit of 30 minutes.

Unique Visitor = Individual who visited the site during the report period. If someone visits more than once, they are counted only the first time they visit.



Audrey G. Zelanko, CTC, 425 6th Avenue—Suite 2850, Pittsburgh, PA 15129
Phone 724/452-4722 • Fax 724/452-5840 • zelanko@smallbiz-enviroweb.org

Multimedia Peer Center (MPC)

www.smallbiz-enviroweb.org/sba/multimedia_peer_center.html



May 2005

What is the Multimedia Peer Center (MPC)?

The Multimedia Peer Center (MPC) is an online resource center for Section 507 SBO/SBAP programs that want to become multimedia or want to improve their programs' multimedia services.

How Can I Use the Online MPC?

You can use the MPC by either: reviewing responses to the MPC questionnaire for each participating MPC Mentor Program, or by searching the MPC Mentor Program database. You can search the database (go to www.smallbiz-enviroweb.org/sba/mpc_programs_search.asp) to find programs matching the following criteria:

- ◆ Type of MPC mentor assistance being offered
- ◆ Type of multimedia assistance offered
- ◆ How multimedia assistance is provided
- ◆ Type of expertise available (environmental compliance only or also P2)
- ◆ Where programs are housed
- ◆ Types of funding sources.

What Does Multimedia Assistance Mean?

Environmental assistance (compliance and beyond) to reduce threats to our air, land, and water.



Small Business Environmental Home Page

www.smallbiz-enviroweb.org

Helping small businesses access environmental compliance and pollution prevention information



How Can My Program Become an MPC Mentor Program?

If your program meets the definition of having multimedia assistance available and you are willing to share information about your program with other state programs, then you may be able to help. You will need to answer a number of questions. At a minimum, your responses will be posted on the MPC web page.

What are the MPC Mentor Program Questions?

Go to www.smallbiz-enviroweb.org/html/pdf/Questions_MentorPrograms.pdf and you will find a list of 19 questions to answer relating to the multimedia services that your program provides. Questions include topics such as: types of multimedia assistance provided and how it is delivered, how work is prioritized, role of the Ombudsman, staff member numbers and expertise, how work is prioritized, range of industry sectors helped, where your program is housed, where your funding comes from, your performance measurement system, your successes, links to online web pages and resources, type of peer assistance that you are willing to provide to other programs, and contact information.

Who Can I Contact for More Information?

Contact Phyllis Strong, Minnesota Pollution Control Agency, Small Business Assistance Program, Multimedia Subcommittee Chair, SBO-SBAP National Steering Committee, at: 651/282-5847, phyllis.strong@pca.state.mn.us.

Supported by funding from the U.S. EPA Small Business Division / Small Business Ombudsman

For questions about the MPC web page, contact:

Audrey G. Zelanko, CTC, 425 6th Avenue—Suite 2850, Pittsburgh, PA 15129
Phone 724/452-4722 • Fax 724/452-5840 • zelanko@smallbiz-enviroweb.org

 Concurrent Technologies Corporation



EPA's Small Business Innovation Research (SBIR) Program

The Environmental Protection Agency (EPA) is one of 11 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. **An SBIR 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, at least 51 percent owned by U.S. citizens or lawfully admitted resident aliens, not dominant in the field of operation in which it is proposing, and have its principal place of business 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. Under Phase I, the scientific merit and technical feasibility of the proposed concept is investigated. EPA awards firm-fixed-price Phase I contracts of up to \$70,000 and the period of performance is typically 6 months. Through this phased approach to SBIR funding, EPA can 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.

Phase II contracts are limited to small businesses that have successfully completed their Phase I contracts. The objective of Phase II is to commercialize the Phase I technology. Competitive awards are based on the results of Phase I and the commercialization potential of the Phase II technology. In Phase II, EPA awards contracts of up to \$225,000 and the period of performance is typically 24 months. EPA also offers up to \$120,000 and 1 additional year as Phase II Options for firms with third party financing for accelerating commercialization or for technologies accepted into the EPA Environmental Technology Verification (ETV) Program.

EPA's next Phase I Solicitation will open on March 23, 2006 and close on May 24, 2006. The Phase I 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 posted on the EPA WEBSITE. The solicitation includes a description of the SBIR Program, application requirements and research topics. This solicitation is available by Fax. If you need a faxed copy or if you have any questions, please call the EPA HELPLINE at:

1 (800) 490-9194





Energy Star Small Business Network Can Help You Save Energy and Money

Energy Star has free information on its Web site geared especially for small businesses (<http://www.energystar.gov/smallbiz/>) that helps owners and operators cut utility bills by improving energy efficiency. The Energy Star label allows businesses to easily choose equipment that will use less energy, and if a small business joins the voluntary Energy Star Small Business Network, they can download or have mailed a free 100-page guide, "Putting Energy into Profits." Joining the Energy Star Small Business Network is free, requires no reporting, no required efficiency upgrade, and your individual use of the Web site is not tracked. (Energy Star does not use cookies on its site.) The business is under no obligation, will not be contacted unless they ask, and their information will not be supplied to anyone. Network sign-up entitles businesses to call engineers toll-free at 1-888 STAR YES, and/or to send questions by email for free tech support, calculations, money-saving strategies and information. Small business owners who have used the Web site and free help line have cut utility bills by up to 30%. Energy Star Small Business Network members may submit a "success story" for public recognition and consideration for annual awards. More than 9,000 small businesses and congregations have already joined the Network as of November 2004. Saving energy helps the environment and saves money, too. Call or log on today! For Further Information Contact: **Karen Brown** at 202-566-2830

Now Available in Spanish: DfE's Integrated Environmental Management System (IEMS) *Implementation Guide and Template*

The Design for the Environment (DfE) Program has translated its *Integrated Environmental Management Systems (IEMS) Implementation Guide and Company Manual Template*, as well as related web pages, into Spanish. The English IEMS materials, targeted at small businesses that wish to better manage their chemicals, have already been well received. To view or download them, please visit the following pages.

Spanish IEMS Home Page: <http://www.epa.gov/dfeprojects/iems/indexspanish.htm>

Spanish IEMS Implementation Guide (Guía de Implementación de SIAA):
http://www.epa.gov/dfepubs/iems/iems_guide/indexspan.htm

Spanish IEMS Company Manual Template (SIAA Plantilla de Manual para Pequeñas Empresas): http://www.epa.gov/dfepubs/iems/iems_template/indexspan.htm

Spanish IEMS Checklist for Lead Organizations (Un Lista de Verificación de un SIAA para Organizaciones Líderes): <http://www.epa.gov/dfepubs/iems/leadorgspan.htm>

At this time, these materials are only available electronically. We have a limited number of CDs available **contact Karen Chu at 202-564-8773**

Presidential Green Chemistry Challenge Award Won by Metabolix, Inc

Metabolix, Inc. of Cambridge, Mass. has received the 2005 Presidential Green Chemistry Challenge Award in the Small Business category. The company was recognized at the awards ceremony June 20 in Washington, D.C. **Tom Sullivan**, Chief Counsel for Advocacy of the Small Business Administration, gave remarks at the ceremony. He was joined by **James Connaughton**, Chairman of the White House Council on Environmental Quality, and **Margaret Schneider**, Acting Deputy Assistant Administrator of the Office of Prevention, Pesticides, and Toxic Substances of the U.S. Environmental Protection Agency in presenting the award to Metabolix.

Metabolix won for developing a biocatalytic fermentation route to produce polyhydroxyalkanoates (PHAs). PHAs have long been known as biobased alternatives to petroleum-based polymers such as polyethylene or polypropylene; however, traditional syntheses were both energy-intensive and expensive. Metabolix used genetic engineering to develop a microorganism that forms the PHA plastic in its cells during its normal lifecycle. Now, for the first time, Metabolix is producing PHAs using less fossil energy than do petroleum-based polymers. Metabolix has recently entered into agreements with Archer Daniels Midland and British Petroleum to commercialize their PHAs. In contrast to conventional plastic products, the plastic products produced by the Metabolix process are readily biodegradable and will reduce environmental burdens on landfills, water treatment systems, and natural systems such as wetlands. They expect to have initial commercial deliveries later in 2005.

The ceremony also included presentations of Presidential Green Chemistry Challenge Awards to five other recipients. These presidential rank awards are given to individuals and organizations that have made dramatic science contributions with identifiable applications that result in less pollution, waste, or both in a manufacturing process. EPA's Green Chemistry Challenge promotes research to develop less toxic alternatives to existing technologies, and to reduce or eliminate waste generation in industrial production. The other Presidential Green Chemistry Challenge awards were presented to **Robin Rogers**, a professor at the University of Alabama; Archer Daniels Midland Co., Decatur, Ill.; Novozymes North America, Inc., Franklinton, N.C.; Merck & Co., Rahway, N.J.; and BASF Corp., Whitehouse, Ohio.

More information on the Presidential Green Chemistry Awards, including more detailed descriptions of the winning technologies, is available at:
<http://www.epa.gov/greenchemistry>. Small business owners who are considering nominating their technologies for the 2006 awards (deadline December 31, 2005) may contact **Richard Engler** at engler.richard@epa.gov with questions.

An eRulemaking Initiative Update

The eRulemaking Initiative is a cross-agency E-Government initiative managed by EPA. This Initiative seeks to overcome barriers to public participation in the U.S. Federal regulatory process by improving the public's ability to find, view, understand, and comment on Federal regulatory actions.

Regulations.gov, the first milestone of the Initiative, provides citizens with a one-stop, Internet Web site to learn about all proposed regulations and to have their comments shape the rulemaking process of all federal agencies. *Regulations.gov* allows visitors to search by keyword, topic (e.g., health and consumer safety; environment, energy and agriculture; travel and recreation), agency and other means to find proposed rules. Since its launch two years ago in January 2003, there have been 8.8 million hits to the Web site with more than one million visitors accessing the site. These visitors have reviewed or downloaded 5.6 million pages and files and have submitted 11,905 comments. For additional information, see www.Regulations.gov.

In summer 2005, the *Regulations.gov* Web site will have a new look and feel and provide to the public additional user features. *Regulations.gov* will provide additional search and navigational tools such as a robust Advanced Search, the ability to sort search results by date and/or alphanumerically, and detailed docket and documents screens.

The eRulemaking Initiative anticipates releasing during the fall of 2005 a federal-wide electronic docket management system to replace and build upon the capabilities of *Regulations.gov*. This next generation of *Regulations.gov* will expand public access to federal rulemaking dockets by posting online Federal Register notices, supporting documents (e.g., scientific, technical, economic analyses), and public comments. Upon completion, the eRulemaking Initiative will consolidate over 20 previous existing federal information technology (IT) systems and integrate 135 federal agencies with only paper-based rule-writing processes into a single federal system to better serve the public.

EPA is currently in the process of transitioning from the use of its own online public docket and comment system, EDOCKET, to the next generation of *Regulations.gov*. By the end of the 2005, EPA will be among the first agencies participating in the new system. Other federal departments and agencies participating in 2005 include the Department of Housing and Urban Development, the Department of Agriculture's Animal and Plant Health Inspection Service, portions of the Department of Homeland Security, and the National Archives and Records Administration.

For Further Information Contact: **Kristin Tensuan** at: (202) 564-2727 or tensuan.kristin@epa.gov

EPA's Next Report on the Environment

In 2003, EPA released the first-ever Draft Report on the Environment (RoE). EPA is now focusing on the next generation of the RoE Technical Report and Public Report as well as a new electronic Report on the Environment. The products are due out in 2006.

- ▶ **The Technical Report on the Environment** will provide the scientific foundation for the Environmental Indicators Program and discuss in detail the indicators and data that are currently available, as well as their limitations. In addition, the document will highlight the information gaps and challenges that should be addressed in order to better answer key questions about environment and health in the future. The target audience for this report includes environmental professionals in federal and state agencies, academia, private industry, and non-governmental organizations.
- ▶ **2006 Public Report on the Environment** will draw on indicators information from the Technical Report. The Public Report will be written in nontechnical language and will undergo peer review to ensure the content and graphical presentations are scientifically credible. Since the release of the 2003 Public Report, EPA has solicited feedback from partners and stakeholders around the country. EPA is applying this feedback to the 2006 Public Report to ensure that it is useful to the segment of the public that is interested in environmental information. The presentation of the 2006 Public Report will make information easy to find and understand.
- ▶ **The Electronic Report on the Environment (e-ROE)** is a new product to complement and “bring to life” the information in the 2006 Technical Report and Public Report. The e-ROE is a database-driven web site that will be an easy-to-use reference tool for concerned citizens, students, and teachers and a gateway for environmental indicators data and additional reference materials for scientists, public health and environmental stakeholders, and other technically oriented users. In the long-term, the e-ROE will capitalize on web technology to allow users to explore topics in greater depth, access original source data, and receive data updates. Users will also be able to download data for some indicators and view indicators grouped by special topic areas of interest to them.

For more information on the development of these products and other EPA environmental indicator activities, please contact **Suzanne Annand** at 202-566-0639 or view the indicators website at www.epa.gov/indicators.

The Environmental Results Program New Compliance Tools for Small Businesses

The Environmental Results Program (ERP) is an integrated system of compliance assistance, self-certification, and statistically-based performance measurement first created by the Massachusetts Department of Environmental Protection (MA DEP) in 1997. MA DEP started with a basic premise — small business compliance will improve if facilities have a better knowledge and understanding of the State’s regulatory requirements and the flexibility to satisfy those requirements.

The ERP approach replaces facility-specific state permits with industry-wide multi-media environmental performance standards and annual certifications of compliance to supplement the State’s traditional compliance inspection and compliance assistance efforts. Compliance assistance is conducted for small businesses through outreach, a self-audit tool, and sector-specific workbooks that contain regulatory requirements for all media as well as pollution prevention best practices. ERPs include an annual self-certification of compliance by facilities to increase awareness and accountability. ERPs also include a statistically-based performance measurement methodology to track results, determine inspection and resource priorities, and aid future compliance assistance efforts for small businesses.

To date, fourteen states have implemented or plan to implement the innovative permitting/self-certification programs in eight business sectors.

Business sectors to which ERP is being applied:

Autobody/Repair	Auto salvage yards	Dry cleaning	Animal feed operations
Photoprocessing	Printing	Dental mercury	Underground storage tanks

States that have initiated an ERP:

Delaware	District of Columbia	Florida	Georgia	Maine
Maryland	Massachusetts	Michigan	Minnesota	New Hampshire
Rhode Island	Tennessee	Vermont	Wisconsin	

States have found that small businesses and their associations want to do the “right thing” environmentally and are willing to work together with environmental regulators to meet environmental compliance obligations. Small businesses have responded enthusiastically to the plain language workbooks and compliance assistance efforts states have provided through the ERP approach. Many states have also partnered with small business associations to sponsor compliance assistance workshops.

A number of other tools, such as guidance documents and fact sheets, have been developed to assist states and small business with ERPs. The most recent tool completed is an electronic version of the underground storage tank (UST) ERP compliance assistance workbook. The electronic workbook is a self-installing program that walks UST owners/operators through a series of questions about equipment they have at their facility and then generates a specialized workbook that only contains requirements that pertain to their facility. EPA has distributed this electronic workbook to states upon request to allow them to incorporate state-specific requirements before sending it out to their regulated UST communities.

For more information on ERP tools and links to state ERP Web sites visit EPA’s ERP Web site: www.epa.gov/permits/erp or contact **Scott Bowles** at: 202-566-2208.



Best Management Practices Fact Sheet

New environmental Best Management Practices (BMP) fact sheets are available on the Small Business Environmental Website at: <http://www.smallbiz-enviroweb.org/pollution/BMPs.html>. An environmental BMP is an action or combination of actions implemented to reduce or mitigate the environmental impacts created during business operations. Ten fact sheets are currently available and focus on *Bakery, Food Service, Furniture Finishing, Health Care, Hotel, Landscaping, Machine Shop, Marina, Retail Store, and Service Station* business sectors. Information included in these sheets come from a wide range of existing sources such as federal agencies, state agencies, and trade associations.

The fact sheets introduce general BMPs for each sector and are designed to work in conjunction with the Environmental Protection Agency's *Practical Guide to Environmental Management for Small Businesses* and its companion book, *Documenting Your Environmental Management Plan*. Utilizing these documents and the BMP fact sheets can assist small businesses in developing an effective Environmental Management Plan.

In the future, additional sector BMPs will be created and users will be able to submit feedback on existing BMPs. The fact sheets are considered living documents and will be updated to reflect new technologies and processes as they become available. These BMPs are intended as a starting point for a business' Environmental Management Plan and are not all-inclusive. It is recommended readers investigate additional information sources, listed at the end of each sector fact sheet, for other environmental BMP suggestions and practices.

If you would like additional information regarding the BMPs please contact **Daniel Eddinger** at 202/566-2820 or eddinge.daniel@epa.gov.

Each sector-specific BMP fact sheet is divided into five sections:

- 1) **Sector Introduction:** Provides basic background information on environmental impacts associated with the sector.
- 2) **Best Management Practices:** Consists of subsections describing a particular environmental impact, followed by a list of BMPs which address the problem.
- 3) **Investments in Technology:** Supplies additional information on technologies mentioned in the BMPs or provides information on new technologies to consider when making your choice of BMPs.
- 4) **Case Study:** Demonstrates the effectiveness of a BMP used in a business.
- 5) **Other Sources:** Provides links to BMP information listed in the fact sheet. Also provides additional resources available to small businesses.

Documenting Your Environmental Management Plan *a Workbook for Small Business*



- A New Publication -

Documenting Your Environmental Management Plan - A Workbook for Small Business (Workbook), produced by US EPA's Small Business Division, is now available! The Workbook is for small business owners who worry that what they don't know can hurt them and want to move away from "fire fighting" environmental issues. It shows them how to get to a proactive stance without disrupting their day-to-day business operations. It will help them formalize environmental management activities while increasing productivity and lowering costs.

The Workbook allows the small business owner to get environmental management issues organized one step at a time. Each section includes an explanation of what needs to be done, worksheets to help the business owner complete the tasks, and examples of completed documentation from two hypothetical small businesses: a furniture refinishing company and a marina. The examples show how that portion of the environmental management plan (EMP) might look once it is done. Business owners who complete all the worksheets will be in a strong position to obtain environmental management system (EMS) certification or other outside recognition should they choose to.

The sections of the *Workbook* parallel a typical environmental management system approach:

- *Environmental Policy*: Its purpose, what elements it should have, and how to develop one.
- *Responsibilities*: Why everyone in the company needs to understand their environmental responsibilities, how to distinguish between critical and important ones, and how to document them.
- *Getting it Written Down – Environmental Manual*: A method to document what environmental activities are already being done, and how to find and address gaps to assure compliance.
- *Making Progress Over Time – Setting Goals*: How to set goals that are both realistic and inspiring.
- *Keeping Track of Information – Recordkeeping*: What records need to be kept; provides a sample master file list and explains a simple way to put files in order.
- *Keeping Track of Information – Document Control*: How to assign responsibility for and set up a system to keep key documents up to date and available.
- *Master Schedule of Reports, Notifications, and Permits*: How to set up a system so that these items are produced and filed with the appropriate authority in a timely way.
- *Communication*: How to develop a plan to communicate the environmental management plan within and outside of the business to enhance environmental efforts.
- *Training*: How to identify who needs training, what training they need, and how to keep track of the training program.
- *Keeping the EMP Alive and Well – Monitoring and Corrective Action*: How to make goals more powerful by linking them with targets, how to conduct audits and performance checks, and how to follow up on problems detected and prevent them from recurring.

The Workbook goes hand in hand with the *Practical Guide to Environmental Management for Small Business (Guide)*. The Guide describes a common sense process for improving the business's environmental management activities. The Workbook shows small business owners the steps to take while going through the process and provides a place to keep and organize all of the information they compile while doing it.

To obtain a copy contact:

US EPA, Small Business
Division Hotline at
1-800-368-5888
or Angela Suber at
202-566-2827

List of Air Toxics Implementation Tools

EPA Air Toxics Implementation Assistance Tools

Tools include: Inspection checklists, Applicability Flowcharts, Brochures, MR&R Summaries, etc.

Sorted by Title

Updated May 18, 2005

General Interest

Date	Implementation Assistance Tool/Document Title	EPA #
9/2000	Air Pollution Control Technology Training Modules – Overview of Carbon Adsorption, Wet Scrubbers, ESP etc. (CD, VHS available) http://www.epa.gov/ttn/atw/utrain.html	
9/97	MACT Implementation Strategy http://www.epa.gov/ttn/atw/eparules.html	EPA-456/R-97-003
10/98	Potential to Emit - A Guide for Small Businesses http://www.epa.gov/ttn/atw/1998sbapptebroc.pdf	
9/2000	Taking Toxics Out of the Air Document – Summary of Toxics program http://www.epa.gov/oar/oaqps/takingtoxics/	EPA-452/K-00-002

MACT Implementation Tools Completed

Date	Implementation Assistance Tool/Document Title	EPA #
12/98 (Revised)	Aerospace Manufacturing and Rework Facilities - Summary of Requirements for Implementing the NESHAP http://www.epa.gov/ttn/atw/aerosp/aeropg.html	EPA-456/R-97-006
10/01	Boat Manufacturing - Brochure, map of sources, slides from presentation, sample initial notification letter, checklists etc. http://www.epa.gov/ttn/atw/boat/boatpg.html	
4/95	Chromium Electroplating and Anodizing NESHAP - A guidebook on how to comply http://www.epa.gov/ttn/atw/chrome/chromepg.html	(EPA-453/B-95-001)
9/97 (Revised)	Ethylene Oxide Commercial Sterilization and Fumigation Operations NESHAP Implementation Document http://www.epa.gov/ttn/atw/eo/eopg.html	EPA-456/R-97-004
8/03	Fabric, Printing, Coating & Dyeing - Overview Brochure and Timeline available http://www.epa.gov/ttn/atw/fabric/fabricpg.html	
12/98	Flexible Polyurethane Foam Production - Plain Language Guide http://www.epa.gov/ttn/atw/foam/foampg.html	EPA-456/B-98-001
9/02	General Provisions - Various tools (e.g., example forms) available at http://www.epa.gov/ttn/atw/gp/gppg.html	
9/97 (Revised)	Halogenated Solvent Cleaning - Summary of Requirements for Implementing the NESHAP http://www.epa.gov/ttn/atw/degrea/halopg.html	EPA-456/R-96-005
5/95 (under Revision)	Guidance Document for Halogenated Solvent Cleaning NESHAP http://www.epa.gov/ttn/atw/degrea/halopg.html	EPA-456/R-94-081
12/03	Integrated Iron and Steel - Inspection checklists, applicability flowcharts, compliance timeline http://www.epa.gov/ttn/atw/iisteel/iisteelpg.html	

Date	Implementation Assistance Tool/Document Title	EPA #
8/02	Large Appliances (Surface Coating) - Overview Brochure and Timeline available http://www.epa.gov/ttn/atw/lapp/lapplpg.html	
8/02	Metal Coil (Surface Coating) - Overview Brochure and Timeline available http://www.epa.gov/ttn/atw/mcoil/mcoilpg.html	
8/03	Metal Can (Surface Coating) - Overview Brochure and Timeline available http://www.epa.gov/ttn/atw/mcan/mcanpg.html	
8/03	Metal Furniture (surface coating)- Overview Brochure and Timeline available http://www.epa.gov/ttn/atw/mfurn/mfurnpg.html	
12/03	http://www.epa.gov/ttn/atw/landfill/landfillpg.html	EPA-456/R-03-006
12/03	Municipal Solid Waste Landfill MACT - Example Moisture Mass Balance Calculations for Bioreactor Landfills http://www.epa.gov/ttn/atw/landfill/landfillpg.html	EPA-456/R-03-007
9/98	Off-Site Waste and Recovery Operations - Source Identification: Lists of Sources Potentially Subject to the Rule http://www.epa.gov/ttn/atw/offwaste/oswropg.html	EPA-456/R-98-006
10/99	Off-Site Waste and Recovery Operations - The Plain Language Implementation Assistance Document for Part 63 Subpart DD http://www.epa.gov/ttn/atw/offwaste/oswropg.html	EPA-456/R-99-007
5/2000	Oil and Gas Applicability Flowcharts http://www.epa.gov/ttn/atw/oilgas/oilgaspg.html	
9/2000	Pesticide Active Ingredient - Implementation Document (NOTE: Draft document only, no final will be released) http://www.epa.gov/ttn/atw/pest/pestpg.html	EPA-456/D-00-001
11/2000 (Revised)	Petroleum Refinery MACT Standard Guidance, Q & A online, Summary of MRR http://www.epa.gov/ttn/atw/petrefine/petrefpg.html	EPA-456-B-00-001
2/03 (Revised)	Pharmaceutical MACT Rule (Expert system on applicability) http://www.epa.gov/ttn/atw/pharma/pharmpg.html	
9/01	Pharmaceutical MACT Inspection checklist http://www.epa.gov/ttn/atw/pharma/pharmpg.html	
9/2000	Polyether Polyols Production - Implementation Document http://www.epa.gov/ttn/atw/polyol/polyolpg.html	EPA-456/R-00-002
10/99	Primary Aluminum - Plain Language Guide to the NESHAP-40 CFR 63, Subpart LL: Summary of Requirements http://www.epa.gov/ttn/atw/alum/alumpg.html	EPA-453/R-99-011
9/01	Pulp and Bleaching System NESHAP for Pulp and Paper Industry: Plain English Description http://www.epa.gov/ttn/atw/pulp/pulppg.html	EPA-456/R-01-002
9/01	Pulp and Paper Combustion Sources NESHAP - A Plain English Description http://www.epa.gov/ttn/atw/pulp/pulppg.html	EPA-456/R-01/003
12/03	Pulp and Paper Combustion MACT II - Inspection checklists, applicability flowcharts, compliance timelines http://www.epa.gov/ttn/atw/pulp/pulppg.html	

Date	Implementation Assistance Tool/Document Title	EPA #
12/03	Refractory Products Manufacture - brochure, overview of testing requirements, example calculations, and overview of control options http://www.epa.gov/ttn/atw/refrac/refracpg.html	
11/2000 9/03	Secondary Aluminum (Sweat Furnace Operations) - Brochure (11/00) and Plain Language Workbook (9/03), source identification information http://www.epa.gov/ttn/atw/alum2nd/alum2pg.html	EPA-456/F-00-004
9/03	Secondary Aluminum - example malfunction plan and notification forms, source list, applicability flowcharts, and summary of MRR http://www.epa.gov/ttn/atw/alum2nd/alum2pg.html	
12/03	Ship Building & Repair - Inspection checklists, applicability flowcharts, compliance timelines, CD http://www.epa.gov/ttn/atw/shipb/shipbpg.html#IMP	
12/03	Wool Fiberglass - Inspection checklists, applicability flowcharts http://www.epa.gov/ttnatw01/woolfib/woolfipg.html	
9/97 (Revised)	Wood Furniture Manufacturing Operations NESHAP Implementation Doc. http://www.epa.gov/ttn/atw/wood/riwood.html	EPA-456/R-97-005
9/04	Industrial/Commercial/Institutional Boilers (MACT) http://www.epa.gov/ttn/atw/combust/boiler/boilerpg.html Website links to tools: 1. Brochure: http://www.epa.gov/ttn/atw/boiler/brochure.pdf 2. Timelines: http://www.epa.gov/ttn/atw/boiler/timeline_exist.pdf 3. Initial Notification: http://www.epa.gov/ttn/atw/boiler/initialnote9_13_04.pdf 4. Applicability Flowchart: http://www.epa.gov/ttn/atw/boiler/finalflowchart9_30_04.pdf	EPA-456/F-04-001
9/04	Plywood and Composite Board http://www.epa.gov/ttn/atw/plypart/plypart.html Website links to tools: 1. Brochure: http://www.epa.gov/ttn/atw/plypart/pcwp_brochure-cover9-30-04.pdf 2. Requirements: http://www.epa.gov/ttn/atw/plypart/pcwprequirements9-30-04.pdf 3. Timeline: http://www.epa.gov/ttn/atw/plypart/pcwptimeline9-30.pdf 4. Initial Notification: http://www.epa.gov/ttn/atw/plypart/initialnote9_30_04.pdf	
9/04	Reciprocating Internal Combustion Engines (RICE) http://www.epa.gov/ttn/atw/combust/engine/ricepg.html Website Links to tools: 1. Applicability Flowchart: http://www.epa.gov/ttn/atw/rice/appdiag.pdf 2. Initial Notification: http://www.epa.gov/ttn/atw/rice/notifyform.pdf 3. 2SLB Brochure: http://www.epa.gov/ttn/atw/rice/2slb_overbroc.pdf 4. 2SLB Timeline: http://www.epa.gov/ttn/atw/rice/2slb_comply.pdf 5. 4SLB Brochure: http://www.epa.gov/ttn/atw/rice/4slb_overbroc.pdf 6. 4SLB Timeline: http://www.epa.gov/ttn/atw/rice/4slb_comply.pdf 7. 4SRB Brochure: http://www.epa.gov/ttn/atw/rice/4srb_overbroc.pdf 8. 4SRB Timeline: http://www.epa.gov/ttn/atw/rice/4srb_comply.pdf 9. Existing SRB Timeline: http://www.epa.gov/ttn/atw/rice/4srb_excomply.pdf 10. CI Brochure: http://www.epa.gov/ttn/atw/rice/ci_overbroc.pdf 11. CI Timeline: http://www.epa.gov/ttn/atw/rice/ci_comply.pdf 12. Limited Use Brochure: http://www.epa.gov/ttn/atw/rice/limit_overbroc.pdf 13. Limited Use Timeline: http://www.epa.gov/ttn/atw/rice/limit_comply.pdf 14. MACT Compliance Handbook: http://www.epa.gov/ttn/atw/rice/mactcomply.pdf	

NSPS Implementation Tools Completed

Date	Implementation Assistant Tool/Document Title	EPA #
10/96	Municipal Solid Waste Landfills, Vol. 1: Summary of the Requirements for the NSPS and EG www.epa.gov/ttn/atw/landfill/landflpg.html	EPA-453/96-004

111(d)/129 Implementation Tools Completed

Date	Implementation Assistant Tool/Document Title	EPA #
11/97	Hospital/Medical/Infectious Waste Incinerator Emission Guidelines - Summary of Requirements for Section 111(d)/129 State Plans http://www.epa.gov/ttn/atw/129/hmiwi/rihmiwi.html	EPA-456/R-97-007
7/96	Municipal Waste Combustion: Summary of the Requirements for Section 111(d)/129 State Plans for Implementing the MWC Emission Guidelines http://www.epa.gov/ttn/atw/129/mwc/rimwc.html	EPA-456/R-96-003
11/98	Municipal Solid Waste Landfills, Vol. 2: Summary of Requirements for Section 111(d) State Plans for implementing the MSW Landfill EG http://www.epa.gov/ttn/atw/landfill/landflpg.html	EPA-456/R-98-009

183(e) Implementation Tools Completed

Date	Implementation Assistant Tool/Document Title	EPA #
7/99	Architectural Coatings - Small Entity Compliance Guide http://www.epa.gov/ttn/atw/183e/aim/aimpg.html	EPA-453/R-99-003

Implementation Tools Planned FY05-FY06

Air Toxics Implementation Tool Project Title	EPA Contact*
Auto and Light Duty Truck http://www.epa.gov/ttn/atw/auto/autopg.html	Gil Wood 919-541-5272
Metal Furniture - OAQPS Emission Standards Division (ESD) planning additional tools such as inspection checklist http://www.epa.gov/ttn/atw/mfurn/mfurnplan.html	Mohamed Serageldin 919-541-2379
Miscellaneous Coatings Manufacturing – Surface coatings sources http://www.epa.gov/ttn/atw/mcm/mcmpg.html	Gary Blais 919-541-3223
Reinforced Plastics - Final applicability flowchart and a final sample notification form for RPC facilities to use. Other tools pending. http://www.epa.gov/ttn/atw/rpc/rpcpg.html	Anna Duncan 202-343-9316
SOCMI Waste Water NSPS - Inspection checklist, applicability flow charts, compliance timeline, Q & As, Relationship to other rules table http://www.epa.gov/ttn/atw/nsps/socww/socwwpg.html	Tom Link 919-541-5456
Wood Building Products – Several types of tools being finalized FY04. http://www.epa.gov/ttn/atw/wbldg/wbldgpg.html	Gary Blais 919-541-3223

*To contact one of these persons you can e-mail them by typing: last.name.first.name@epa.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 75. 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 202-566-2855**.

CLEAN AIR ACT (CAA)

EPA to Finalize Permanent Exemptions from Title V Permitting for Many Area Sources Prior to the December '05 Permit Application Submittal Deadline

Some of the area sources that are subject to MACT standards were previously subject to deferrals from Title V area source permitting. These sources are drycleaners, EO sterilizers, chrome electroplaters, secondary lead smelters, and secondary aluminum production. On December 9, 2004, the Title V permitting deferrals expired and these sources all became subject to a requirement to submit a title V area source permit application by December 9, 2005. However, On March 25, 2005 EPA announced its proposed decision to permanently exempt all of these source categories, except secondary lead smelters, from title V area source permitting. EPA hopes to issue its final exemption rule prior to the TV permit application deadline for these area sources, so these sources will not have to submit applications. For further information contact **Jeff Herring** at: 919-541-3195.

Urban Air Toxics Strategy

This Strategy is an integrated framework for addressing air toxics in urban areas by looking at stationary, mobile, and indoor source emissions. Air toxics can pose special threats in urban areas because of the large number of people and the variety of sources of toxic air pollutants, such as vehicles, large factories, gasoline stations, and dry cleaners. Individually, some of these sources may not emit large amounts of toxic pollutants, however, collectively can produce potentially significant health effects. 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. One of these actions is to promote local decision making on reducing toxics in a community environment. As a result, EPA is working with over 30 communities to help assess and address their air toxics problems. 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/atw/urban/urbanpg.html.

Contact: Laura McKelvey, 919-541-5497.

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

The EPA has a requirement under the Clean Air Act to list

area source categories to address 90 percent of the emissions of 30 listed urban Hazardous Air Pollutants (HAP). This effort is part of the Urban Air Toxics Strategy, and is of interest to small businesses because it has the potential to affect many small sources.

As of November 2002, EPA has listed a total of 70 area source categories to be addressed. Of the 70 categories on the list, 15 have already been regulated. EPA is under a consent decree for five of the remaining 55 source categories and is currently in negotiations with a litigant to develop schedules for the remaining 50 area source categories. EPA is currently developing a framework which would provide flexibility in how the states and/or EPA addresses the remaining categories. More information on area source standards is available at <http://www.epa.gov/ttn/atw/urban/arearules.html>
Contact: Yvonne W. Johnson at 919-541-3921

Residual Risk and MACT standard Review Program

Eight years after EPA publishes a final technology-based NESHAP for a source category, we are required to determine if the residual risk from air toxics emissions for that source category are protective of human health and the environment. We are also required to review the technology-based standards every eight years after publication. Currently, there are around twenty residual risk and MACT review standards development projects under way. We are focusing our resources on the 8 projects where we have missed our statutory deadline and Earth Justice has filed suit and we are under schedule negotiations.—The first rule under Residual Risk, (i.e., National Emission Standards for Coke Oven Batteries) was published in the Federal Register on April 15, 2005. For more information on the program, source categories, and project contacts, visit the web at <http://www.epa.gov/ttn/atw/rrisk/residriskpg.html>

For Further Information Contact: Standards Development - Bob Lucas at 919 541-0884 and Risk Assessment - Roy Smith at 919 541- 5362

Section 112(j) (Hammer Date) Status

All facilities that are major sources of HAP, and were listed in a source category on EPA's source category list for which we have not promulgated a final NESHAP, were required to submit a Part 1 title V permit application to their permitting authority by May 15, 2002 to develop case-by-case maximum achievable control technology (MACT) **to incorporate into their title V permit**. 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.

The 112(j) permit application process consists of two parts. Part 1 (that was due May 15, 2002) is basically a simple informational notification that the source is subject to the section 112(j) rule and is in an affected source category. Part 2 of the application would contain the more detailed, comprehensive

information necessary for the permitting authority to develop case-by-case MACT and issue a permit within 18 months after receiving a complete Part 2 application. The schedule for Part 2 depends on the specific source category. Once a final NESHAP has been signed by the Administrator, the Part 2 application is no longer necessary, and the 112(j) requirements are no longer applicable. Sources in only 2 NESHAP are potentially subject to 112(j): Industrial, institutional, and commercial boilers, and process heaters that burn hazardous waste; and hydrochloric acid production furnaces that burn hazardous waste. Part 2 applications are due for these sources by 8/13/05, unless the final rules are signed by that date.

Business that believe they may be affected sources should review 40 CFR 63, subpart 63.50 through 63.56, the April 5, 2002, Federal Register, page 16582, and the May 30, Federal Register page 32586. Additional information is also on EPA's Air Toxics Website at <http://www.epa.gov/ttn/atw/112j/112jaypg.html>

Contact: Rick Colyer at 919-541-5262.

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. See <http://www.epa.gov/ttn/atw/combust/list.html> for more information on these rules.

Organic Liquids Distribution (Non-Gasoline)

On August 27, 2003 the Agency promulgated national emission standards for hazardous air pollutants that establish maximum achievable control technology (MACT) for facilities distributing organic liquids. This standard addresses activities associated with the storage and distribution of organic liquids other than gasoline at sites that produce or use organic liquids or serve as distribution points from which organic liquids may be obtained for further use and processing.

EPA has received five (5) Petitions for Reconsideration regarding this rule. All were granted and amendments to the rule are being written. We are hoping to publish the amendments before the end of the calendar year. See <http://www.epa.gov/ttn/atw/orgliq/orgliqpg.html> for a copy of the final rule. **Contact: Martha Smith at 919-541-2421**

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 calendar year 2004 or 2005. The exact date depends on what additional work might be necessary as a result of comments to be made in the review process. 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.

CLEAN WATER ACT (CWA)

National Wide Bacteria Standards to Protect Swimmers at Beaches

On November 8, 2004, EPA established more protective health-based federal bacteria standards for those states and territories bordering Great Lakes or ocean waters that had not yet adopted standards in accordance with the BEACH Act of 2000. Of the 35 states and territories that have coastal or Great Lakes recreation waters, 14 have adopted criteria as protective of health as our recommended criteria for all their coastal recreation waters, 5 have adopted criteria as protective as our recommended criteria for some of their coastal recreation waters, and 13 states are in the process of adopting protective criteria. When this final rule was issued, three states had not yet started adopting our recommended criteria (Georgia, Louisiana, and Oregon). When a state or territory adopts criteria as protective of human health as our 1986 bacteria criteria into their standards, EPA will approve those standards and withdraw the federal standards for that state or territory. <http://www.epa.gov/waterscience/beaches/bacteria-rule.htm>

While the Clean Water Act and its implementing regulations may trigger the need for new or revised discharge limits based on the water quality standards to be placed on small entities in some cases by this rule, the standards themselves do not directly apply to any discharger, including small entities.

Animal Feeding Operations Virtual Information Center

The AFO Virtual Information Center is a tool to facilitate quick access to livestock agricultural information in the US. This site is a single point of reference to obtain links to state regulations, web sites, permits and policies, nutrient management information, livestock and trade associations, federal web sites, best management practices and controls, cooperative extension and land grant universities, research, funding, and information on environmental issues.

<http://cfpub.epa.gov/npdes/afo/virtualcenter.cfm>

Managing Manure Guidance for CAFOs

This guidance provides technical information for owners, operators, technical service providers, consultants, and permit authorities on how to carry out EPA's technical requirements for

NPDES permitted CAFOs. It also provides information on voluntary technologies and management practices that may both improve the production efficiency of CAFOS and further protect the quality of the nation's waters.

<http://cfpub.epa.gov/npdes/afo/info.cfm#manure>

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. The withdrawal of cooling water from waters of the U.S. harms billions of aquatic organisms each year, including fish, fish larvae and eggs, crustaceans, shellfish, sea turtles, and marine mammals. Most damage is done to early life stages of fish and shellfish.

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. EPA developed these regulations in three phases. The first phase, promulgated in December 2001, covered new facilities and had no significant impact on small businesses.

On February 16, 2004, EPA's Administrator signed final regulations for the second phase, which established requirements for cooling water intake structures at existing electric power generating plants that use at least 50 million gallons of cooling water a day. These final regulations do not have a significant economic impact on a substantial number of small entities. This rule protects more than 200 million pounds of aquatic organisms annually from death or injury. The benefits from improvements to commercial and recreational fishing range from \$73 million to \$83 million per year. EPA estimates that this rule affects about 550 facilities, most of which are owned by large businesses or government jurisdictions. EPA estimates that the final rule will cover only two small businesses.

Phase III was proposed on November 1, 2004. The proposal addresses existing manufacturing facilities not covered by the Phase II rule that withdraw cooling water above a certain regulatory threshold and offshore and new coastal oil and gas extraction facilities that are designed to withdraw at least two million gallons a day (MGD). EPA estimates that the rule will cover one small entity, a new off shore oil and gas platform.

The proposed rule contains three options that, based on design intake flow and source waterbody, define which existing facilities would be subject to new requirements:

- * The facility has a total design intake flow of 50 MGD or more, and withdraws from any waterbody type; or
- * The facility has a total design intake flow of 200 MGD or more, and withdraws from any waterbody type; or
- * The facility has a total design intake flow of 100 MGD or more and withdraws water from an ocean, estuary, tidal river, or one of the Great Lakes.

The facilities subject to the rule would have to meet the same requirements as those established in the Phase II regulations for large-flow power plants. Requirements to reduce impingement mortality and/or entrainment would be determined based on waterbody type. The proposed rule provides several compliance alternatives, such as using existing technologies, selecting additional fish protection technologies (such as screens with fish return systems), and using restoration measures. Facilities may also choose to demonstrate that the costs of complying with the rule would be significantly greater than the costs that EPA estimated in establishing the requirements and request site-specific requirements. Another compliance alternative would

allow facilities to request site-specific requirements that are as close as practicable to the applicable impingement mortality and/or entrainment performance standards without resulting in costs that are significantly greater than the benefits of the facility.

The proposed rule would also establish requirements for new offshore and coastal oil and gas extraction facilities. These facilities would be required to design their cooling water intake structures to meet a through-screen velocity of 0.5 feet per second or less and, if they are located in estuaries or tidal rivers, they would also be required to meet proportional flow requirements. Facilities could also request alternative, less stringent requirements if their compliance costs would be wholly out of proportion to those we considered in establishing the requirements.

On February 27, 2004, EPA convened a Small Business Advocacy Review Panel for the proposed rule. Prior to convening the panel, EPA held conference calls and meetings to receive information from prospective small entity representatives about the panel and their early concerns about the planned proposed regulation. Three municipal power plant representatives and four representatives from manufacturing industries provided comments to the panel. The panel produced a final report to the EPA Administrator on April 27, 2004 that evaluated several regulatory alternatives for reducing the impacts of the rule on small entities. That report was considered in the development of the Phase III rule.

EPA is on schedule to issue final regulations for the Phase III facilities in November 2006.

Effluent Guidelines Program

Effluent guidelines are regulations for industrial discharges to surface waters and to publicly-owned treatment systems. You can check for updates on all of the effluent guidelines on the Internet at <http://www.epa.gov/guide/>. Below, EPA reports on important progress.

In September 2004, EPA announced the effluent guidelines to be revised or developed in the next few years. EPA identified four industries to consider for effluent guidelines rulemaking. Two of these industries—Airport Deicing Operations and Drinking Water Supply and Treatment—are not subject to existing effluent guidelines. The other two industries—Vinyl Chloride Manufacturing, which is part of the Organic Chemicals, Plastics, and Synthetic Fibers point source category, and Chlor-Alkali manufacturing, which is part of the Inorganic Chemicals point source category—are subject to existing effluent guidelines. The plan and several supporting documents are available on the Internet at <http://epa.gov/guide/plan.html>. By late Summer 2005, EPA plans to publish another notice about the status of effluent guidelines and to request comment on the next round of rulemaking plans.

Concentrated Aquatic Animal Production

The final effluent guideline for Concentrated Aquatic Animal Production (CAAP) was published in the Federal Register on August 23, 2004. CAAP is often called aquaculture. The CAAP effluent guideline includes requirements for flow-through, recirculating, and net pen systems that produce 100,000 pounds or more per year of aquatic animals. Pond production systems are not included. CAAP facilities must develop a plan that describes how the facility will control solids, properly store materials (drugs, pesticides, feed), and maintain the structural integrity of the system. In addition, all CAAP facilities must meet recordkeeping and reporting requirements and ensure that staff is properly trained.

The CAAP effluent guideline does not modify the National Pollutant Discharge Elimination System (NPDES) regulations defining a CAAP facility. Some facilities will need an NPDES permit even though they are not covered by the CAAP effluent guideline.

EPA plans to publish a guidance document on complying with the CAAP effluent guideline later this year.

Drinking Water Treatment Facilities

In September 2004, EPA started collecting information for a new effluent guideline to address the direct discharge of drinking water treatment residuals to surface water, and for the indirect discharge of residuals to wastewater treatment plants. This effluent guideline might apply to drinking water treatment systems of all sizes that discharge suspended solids, aluminum salts, iron salts, organic matters, polymer, lime, desalination concentrates, radionuclides, arsenic, or other residuals. It is important to note, however, that EPA has not yet decided whether any discharge controls are necessary. EPA is collecting information on the production, management, and potential environmental impacts of residuals in order to decide whether discharge controls are warranted. EPA is also gathering information concerning the potential regulatory burden on small public and privately-owned drinking water treatment systems.

A Notice of Proposed Rulemaking is planned for August 2006. More details about data collection activities are posted on the Drinking Water Treatment Effluent Guideline website at: <http://www.epa.gov/waterscience/guide/>

Phase II Storm Water Regulations Potentially Affecting Small Oil & Gas Operating Companies

On December 8, 1999 (64 FR 68722), the U.S. Environmental Protection Agency (EPA) published a final rule expanding the National Pollution Discharge Elimination System (NPDES) storm water permitting program to require permit coverage by March 10, 2003 for, among other things, all construction sites that disturb one to five acres. As part of that rulemaking, EPA assumed that few, if any, oil and gas exploration, production, processing, or treatment operations or transmission facilities would be affected by the rule. Due to the many questions raised about construction at oil and gas sites, EPA issued two subsequent Federal Register notices [68 FR 11325; March 10, 2003 and 70 FR 11560; March 9, 2005] postponing until June 12, 2006, the requirement for operators engaged in oil and gas construction activities that disturb one to five acres of land to obtain coverage under an appropriate NPDES storm water permit. EPA plans to develop one or more regulatory options and publish these as a Notice of Proposed Rulemaking (NPRM) in the Federal Register for public comment. The NPRM will be based upon EPA's assessment of 1) the impact of permit requirements on the oil and gas industry, (2) the appropriate best management practices for preventing contamination of storm water runoff resulting from construction associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities, and (3) the scope and effect of other storm water provisions of the Clean Water Act. EPA intends to publish the NPRM announcement in September, 2005. All information relating to the Phase II storm water requirements, issues and rulemaking activities may be accessed at the following website: www.epa.gov/npdes/stormwater.

SAFE DRINKING WATER ACT (SDWA)

Safe Drinking Water Act (SDWA) Regulation Overview Workbook:

This workbook, entitled *Small Systems Guide to Safe Drinking Water Act Regulations—The First STEP to Providing Safe and Reliable Drinking Water—One of the Simple Tools for Effective Performance (STEP) Guide Series*, provides general information about the various Safe Drinking Water Act regulations, how the regulations relate to each other, and how drinking water regulations fit into the multi-barrier approach to microbial and chemical/radiological risks. Copies of this booklet can be obtained from the Office of Water Resources Center or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference Document Number EPA 816-R-03-017 when requesting copies. Copies of this document can also be accessed on the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Asset Management Workbook

This booklet, entitled *Asset Management: A Handbook for Small Water Systems – One of the Simple Tools for Effective Performance (STEP) Guide Series*, will help guide small drinking water systems through the process of developing an asset management plan. The booklet includes worksheets on completing a thorough asset inventory; prioritizing the rehabilitation and replacement of assets; developing a simple asset management plan; and carrying out the plan. The booklet also provides information about how asset management can help improve a small drinking water system's financial health and ability to provide safe drinking water. Copies of this booklet can be obtained from the Office of Water Resources Center or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference Document Number EPA 816-R-03-016 when requesting copies. Copies of this document can also be accessed on the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Sources of Technical and Financial Assistance for Small Drinking Water Systems

This brochure, *Sources of Technical and Financial Assistance for Small Drinking Water Systems*, identifies major sources of technical and financial assistance specifically targeted at small drinking water systems. Each source listed in this document contains a description about each source's mission, types of assistance that can be provided, and contact information. Copies of this document can be obtained from the EPA Safe Drinking Water Hotline at 800-426-4791 or at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>. Please reference EPA document # 816-K-02-005.

Asset Inventory Workbook for Very Small Water Systems

EPA has developed a workbook entitled *Taking Stock of Your Water System: A Simple Asset Inventory for Very Small Drinking Water Systems* to assist very small water systems (including

manufactured housing communities and homeowners associations) in conducting a simple inventory of infrastructure for capital planning purposes. This workbook is essential in keeping these types of water systems running properly and making sure that the drinking water produced by these systems is reliable, safe, and affordable. Copies of this document can be obtained from the Office of Water Resources Center or the EPA Safe Drinking Water Hotline at 800-426-4791 or at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Strategic Planning Workbook

EPA has developed a handbook entitled *Strategic Planning: A Handbook for Small Water Systems*. The handbook is designed to help small drinking water systems understand the concept of strategic planning and how strategic planning can help them prepare their systems to meet public expectations and regulatory requirements while maintaining organizational and financial stability in the future. The booklet includes worksheets to assist systems in the strategic planning process. To access the booklet on-line, go to <http://www.epa.gov/safewater/smallsys/ssinfo.htm>. Copies can be obtained from the Office of Water Resources Center or by calling the Safe Drinking Water Hotline at 1-800-426-4791 (reference Document Number EPA 816-R-03-015).

Preventative Maintenance Tool for Small Ground Water Systems (Card File)

EPA has developed a simple preventive maintenance tool for small ground water systems. The tool will consist of index cards that give preventive maintenance tasks to be accomplished on a daily, weekly, and monthly basis. The tool also incorporates security-related tasks that could be accomplished in conjunction with the maintenance tasks. Copies of this document can be obtained from the Office of Water Resources Center, by calling the Safe Drinking Water Hotline at 1-800-426-4791, or on-line at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>. Please reference EPA document # 816-B-04-002.

Small System Partnership Solutions

Water system capacity is the ability to plan for, achieve, and continually provide safe and affordable drinking water to customers, thereby increasing public health protection. Capacity development is the process through which drinking water systems acquire and maintain the technical, managerial and financial capabilities to consistently provide safe drinking water. One tool that can be used to build capacity is *System Partnership Solutions to Improve Public Health Protection*. This product provides an overview of steps that promote partnerships between systems. The product also provides examples of successful case studies of systems that have partnered with each other as a solution to achieving capacity. Copies of this document can be obtained from the EPA Safe Drinking Water Hotline at 800-426-4791 or at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>. Please reference EPA document # 816-R-02-022.

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 each year. 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 provide them information on how to participate in drinking water protection. Systems began providing these reports to consumers in 1999; results for the first four years indicate that over 94% of systems required to prepare and distribute these reports did so by the required deadline. EPA has also developed a new internet-based tool, CCRiWriter, to assist water systems with preparing their CCRs. This web version updates the earlier CD-based software and is intended to reduce the burden to drinking water systems. The program uses a question and answer format to walk users through all of the required sections of the CCR. The website allows systems to enter data, edit information, save reports, and store information on-line. Standard information, such as definitions and other required information, is already included to save time. The on-line software is available on the EPA website at <http://www.epa.gov/safewater/ccr/ccrwriter.html>

Source Water Assessments

States are making great progress in completing source water assessments for their public water systems, as required under the 1996 Amendments to the Safe Drinking Water Act. They have delineated source water areas, identified potential sources of contamination within those areas, evaluated the susceptibility of the drinking water supplies to contaminants that may be released from these contamination sources, and made the results of the assessments available to the public. As of February 2005, source water assessments were complete for 100% of the community water systems in Nevada and California, and for 93% of systems nationwide. EPA expects the balance of the assessments to be completed within the year. Timely completion of the assessments is critical so the information can be used to begin to move towards protection of drinking water supplies. Information on source water assessments and how they are available in any state can be found at individual state source water websites which are accessible through EPA's source water website at <http://www.epa.gov/safewater/protect/protect.html>

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 Contaminant Candidate List, CCL) to assist in priority-setting efforts. SDWA also directs the Agency to periodically determine whether or not to regulate at least five contaminants from the current CCL with a national primary drinking water regulation (NPDWR). In a *Federal Register* notice, dated July 18, 2002 (68

FR 42897), EPA announced its final determinations for nine contaminants which had sufficient information to make a determination. The nine contaminants are as follows: aldrin, dieldrin, hexachlorobutadiene, manganese, metribuzin, naphthalene, sodium, sulfate, and Acanthamoeba. EPA's determination is that no regulatory action is appropriate or necessary for the nine contaminants, because regulation of these contaminants would not present a meaningful opportunity for health risk reduction for persons served by public water systems.

Contaminant Candidate List - Publication of Notice of Draft Report

The Safe Drinking Water Act (SDWA), as amended in 1996, requires the Environmental Protection Agency (EPA) to publish a list of contaminants which, at the time of publication, are not subject to any proposed or promulgated national primary drinking water regulations (NPDWRs), that are known or anticipated to occur in public water systems, and which may require regulations under SDWA (section 1412 (b)(1)). SDWA, as amended, specifies that EPA must publish the first list of drinking water contaminants no later than 18 months after the date of enactment, i.e., by February 1998 (henceforth referred to as the 1998 Contaminant Candidate List or the 1998 CCL), and every five years thereafter. EPA published a draft report to notify the public of its decision to carryover the 1998 CCL as the draft CCL2 on April 2, 2004 (69 FR 17406). The notice also provided information on EPA's efforts to expand and strengthen the underlying CCL listing process to be used for future CCL listings, and requested public comment on CCL-related activities to improve the drinking water contaminant listing process.

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 periodically review existing national primary drinking water regulations (NPDWRs) and determine whether revisions are necessary. On July 18, 2003, the Agency announced in the *Federal Register* (68 FR 42907) its decisions for 68 chemical NPDWRs and the Total Coliform Rule (TCR). Based on its review, the Agency decided that the 68 chemical NPDWRs remain appropriate at this time and that one rule, the TCR, should be revised.

Long Term 1 Enhanced Surface Water Treatment Rule Update

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 purpose of the LT1ESWTR is 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. 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.

Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) Turbidity Provisions - Technical Guidance Manual

EPA is issuing the *Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) Turbidity Provisions - Technical Guidance Manual*. EPA prepared this document to provide information to drinking water systems on the turbidity provisions (the measure of cloudiness from materials such as soil in the water) in the rule and to help protect the public against drinking water contamination (i.e., pathogens). The manual contains sample worksheets that may help systems collect important information. The guidance also includes additional materials such as background reference information, equations and sample calculations, example reports, and example operating procedures. An electronic version can be found on the EPA website at www.epa.gov/safewater/mdbp/lt1eswtr.html.

Filter Backwash Recycling Rule Update

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 beginning June 8, 2004. The *Filter Backwash Recycling Rule (FBRR) Technical Guidance Manual* has been developed to provide operators with practical guidance and relevant information to assist them with the Filter Backwash Recycling Rule provisions. This guidance is available for download from EPA's website along full text of the FBRR, fact sheets and other guidance materials at <http://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 2005.

Small Systems Guide to the Stage 1 Disinfectants/Disinfection Byproducts Rule (One of the Simple Tools for Effective Performance (STEP) Guide Series)

EPA is currently developing a simple workbook to guide small systems in achieving compliance with the Stage 1 Disinfectants and Disinfection By-Products rule. The workbook will include worksheets and other tabular and graphical tools to help systems organize their data and think through compliance options. EPA is expecting to have this workbook completed by late 2005.

Stage 2 Disinfectants/Disinfection Byproducts Rule

EPA proposed a Stage 2 Disinfectants/Disinfection Byproducts Rule (DBPR) on August 18, 2003 (68 FR 49547), and requested public comment up to November 18, 2003. In response to requests for extension of the public comment period, EPA issued a notice in the Federal Register, extending the comment period to January 16, 2004 (68 FR 58057). 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" (a system that buys finished water from another 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 reduce 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 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

EPA proposed the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) on August 11, 2003, and requested public comment up to November 10, 2003. In response to requests for extension of the public comment period, EPA issued a notice in the Federal Register, extending the comment period to January 9, 2004 (68 FR 58057). 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.

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 (66 FR 6975). 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 final *Implementation Guidance for the Arsenic Rule* to aid states, tribes and EPA's regional staff with rule implementation. EPA has also completed a small community compliance guide called *Complying With the Revised Drinking Water Standard for Arsenic: Small Entity Compliance Guide (One of the Simple Tools for Effective Performance (STEP) Guide Series)* and a Centrally Managed Point of Use Compliance Strategy. EPA also finalized four *Case Studies in Arsenic Treatment Technologies*. In addition, EPA has developed an *Arsenic Treatment Technology Evaluation Handbook for Small Systems*. All of these documents, as well as other Arsenic related resources, are available on the EPA website at <http://www.epa.gov/safewater/ars/implement.html>. The Agency has held training sessions throughout the U.S. for state and Regional personnel, drinking water providers, technical assistance providers, and consultants. On January 29, 2003, the Agency hosted their first (ever) national satellite training on the arsenic rule, reaching approximately 1000 participants. On March 25, the Agency published a final rule to clarify any potential ambiguity about the unacceptability of rounding compliance monitoring results above 10 ppb down to 10 ppb.

Complying With the Revised Drinking Water Standard for Arsenic: Small Entity Compliance Guide (One of the Simple Tools for Effective Performance (STEP) Guide Series)

This self-help workbook is designed to help small drinking water systems understand and achieve compliance with the revised Arsenic Rule. The workbook provides information for small drinking water systems to help in their selection of appropriate arsenic compliance options. Worksheets are also provided along with step-by-step instructions on how to complete them and interpret monitoring results. Additional blank worksheets can be

requested separately. This product is currently available from the Office of Water Resources Center, or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference EPA Document Number EPA 816-R-02-008A for the workbook and EPA Document Number EPA 816-R-02-008B for additional blank worksheets. Copies of this document are also available at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Arsenic Treatment Technology Evaluation Handbook for Small Systems

The Arsenic Treatment Technology Evaluation Handbook for Small Systems addresses state-of-the-art arsenic treatment for small systems and includes discussion of process theory, design parameters, cost estimation, compatibility with existing treatment processes, necessary pre- and post-treatment, residual disposal, and process operation and maintenance. Detailed example design calculations are provided. The handbook is intended for use by consulting engineers, state engineers, and technical assistance providers. Copies of this document can be obtained from the Office of Water Resources Center, or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference EPA Document Number EPA 816-R-03-014 for the handbook or at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>

A Small System Guide to the Total Coliform Rule: Monitoring Drinking Water Systems to Protect Public Health (One of the Simple Tools for Effective Performance (STEP) Guide Series)

This product is a self-help workbook that describes the need for coliform monitoring and how the Total Coliform Rule (TCR) applies to small drinking water systems serving 3,300 people or less. Worksheets are provided along with step-by-step instructions on how to complete them and interpret the results of TCR monitoring. Additional blank monitoring worksheets can be requested separately. Copies of these products can be obtained from the Office of Water Resources Center or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference EPA Document Number EPA 816-R-01-017A for the workbook and EPA Document Number EPA 816-R-01-017B for additional blank monitoring worksheets. Copies of this document can also be obtained from the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Drinking Water System Security Workbook for Systems Serving Populations of 3,300 People or Fewer

EPA is currently developing a simple workbook to assist small systems with drinking water system security. The workbook will emphasize the importance of security to small drinking water systems serving populations of 3,300 or fewer and how certain basic methods and measures can be used to raise system security. It will also provide guidance to these small drinking water systems on vulnerability assessments, emergency response plans, and threats from attacks or other intentional actions that would

disrupt the supply of safe drinking water. EPA is expecting to have this manual available by the fall of 2005.

National Rural Water Association (NRWA) Receives EPA Grant to Help Small Systems with Vulnerability Assessments

Under an agreement with the Environmental Protection Agency, the National Rural Water Association is implementing a project to assist small community water systems serving populations between 3,300 and 10,000 people in conducting vulnerability assessments. These drinking water systems are required to submit vulnerability assessments to EPA under the *Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Act)*. Through a combination of training sessions, on-site technical assistance, and internet based tools, the National Rural Water Association is providing the necessary assistance that will educate system personnel about the Act and provide assistance in preparing vulnerability assessments and emergency response plans. There are approximately 4,400 community water systems serving between 3,300 and 10,000 people in the 48 contiguous states and the state of Alaska that must comply with the Act's requirements. For more information on EPA's water infrastructure security efforts visit

<http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

EPA Funds Small Wastewater Security Guide

Protecting Your Community's Assets: A Guide for Small Wastewater Systems was developed by the National Environmental Training Center for Small Communities with support from an EPA grant. This guide helps utility managers, operators, and local officials improve security and plan for emergency situations affecting wastewater treatment systems. The guide is designed for those who work with systems serving less than 10,000 people, although it may also be of use to those who work in larger systems, and is now available for download at www.netc.wvu.edu.

Top Ten List for Small Ground Water Suppliers

The Top Ten List for Small Ground Water Suppliers was developed to assist small public water suppliers with security and emergency planning. The list includes tips to help suppliers protect their facilities from tampering or contamination incidents, and to prepare for potential emergencies. For more information on EPA's water infrastructure security efforts, visit <http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

Response Protocol Toolbox: Planning for and Responding to Drinking Water Contamination Threats and Incidents - Handbook

EPA is planning to release the document, *Response Protocol Toolbox: Planning for and Responding to Drinking Water Contamination Threats and Incidents - Handbook* to help water

systems understand the basics of planning for and responding to threatened or actual incidents. This document covers the overall concepts and principals in the full version of the Response Protocol Toolbox, but in a condensed and concise manner. The document contains information targeted primarily at water utility personnel, small systems, and managers, as well as secondarily health officials, laboratories, fire, police, emergency medical services, and local, state, and federal officials. The handbook can be used independently of the full Response Protocol Toolbox, or in combination to provide more details if the reader is interested in more specific in-depth information. EPA is expecting to have this manual available by the fall of 2005. For more information on the Response Protocol Toolbox visit <http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

Water Security Response Guidelines

EPA is releasing the interim final version of the *Response Protocol Toolbox: Response Guidelines*. The *Response Guidelines* should be of considerable value to a number of key authorities with critical roles during implementation of public health actions or remediation actions in response to a drinking water contamination threat or incident. The *Response Guidelines* are not intended to replace the *Response Protocol Toolbox* and they do not contain the detailed information contained within the six complete modules. This document is a compilation of many of the key forms from the *Response Protocol Toolbox* and has been developed to provide an easy to use document for field and crisis conditions. As stated in the definition of Response Guidelines in Module 1, Section 4.3 of the *Response Protocol Toolbox*, Response Guidelines are different from an Emergency Response Plan in that they are essentially a "field guide" for responding to contamination threats and can be developed in many different formats. For more information on-line, visit <http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

Small and Medium Water System Emergency Response Plan Guidance

Emergency Response Plan Guidance for Small and Medium Water System was developed to assist community water systems (CWS) in complying with the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. The guidance will provide CWSs (serving a population between 3,301 and 99,999) with guidance on developing or revising Emergency Response Plans (ERPs). An ERP is a documented plan that describes the actions that a CWS would take in response to various major events. Major event refers to: credible threats, indications of terrorism, or acts of terrorism; major disasters or emergencies, such as hurricanes, tornadoes, storms, earthquakes, fires, flood, or explosion regardless of cause; and catastrophic incidents that leave extraordinary levels of mass casualties, damage, and disruption severely affecting the population, infrastructure, environment, economy, and government functions. The *Emergency Response Plan Guidance for Small and Medium Water System* should be of considerable value to a number of key authorities with critical roles during implementation of emergency response or remediation actions in response to a drinking water contamination threat or incident. For more information on-line, visit <http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

EPA Allocates Grant Funds For Water Counter-Terrorism Activities

Congress annually provides funding to support counterterrorism

coordination activities by states and territories in protecting the nation's drinking water systems. States and territories use funds for critical water infrastructure protection efforts that includes work with water utilities as well as other state, local, and federal agencies. In 2005, nearly \$5 million will be awarded to state and territory agencies with funds being distributed according to an allotment formula. Please note that direct grants from EPA are not available to water utilities. For more information on-line, visit <http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

RESOURCE CONSERVATION & RECOVERY ACT (RCRA)

Hazardous Waste Generator Program Evaluation

The EPA completed an evaluation of data collected during the spring and summer of 2004 to better understand the efficiency and effectiveness of the Resource Conservation and Recovery Act's (RCRA) hazardous waste generator regulatory program, as well as identifying areas for improvement. Data were collected at four public meetings and through an Advanced Notice of Proposed Rulemaking (ANPRM). Preliminary strategies have been developed. Any strategy selected will, of course, be subject to resource availability and an examination of other RCRA program priorities. **For further information Contact Jim O'Leary at 703-308-8827 .**

Revised Standards for Hazardous Waste Combustion Facilities

On March 31, 2004, Administrator Leavitt signed a notice proposing national emission standards for hazardous air pollutants (HAPs) from hazardous waste combustors. The proposed rule appeared in the Federal Register on April 20, 2004 (69 FR 21198). The combustors affected by this rule detoxify or recover energy from hazardous waste, and include incinerators, cement kilns, lightweight aggregate kilns, boilers and process heaters, and hydrochloric acid production furnaces. The proposed standards will implement section 112(d) of the Clean Air Act by requiring hazardous waste combustors to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT).

By proposing technology-based standards for these devices, EPA aims to reduce emissions of hazardous air pollutants, including lead, mercury, arsenic, dioxin and furans, and hydrogen chloride and chlorine gas. In conjunction with these pollutants, emissions of particulate matter will also be reduced. For further information visit www.epa.gov/hwcmact/. **For further information Contact Rhonda Minnick at 703-308-8771**

RCRA Definition of Solid Waste Proposed Rule

On October 28, 2003,(68 FR 61558) EPA proposed revisions to the definition of solid waste that identify certain recyclable secondary materials reclaimed in a continuous process in the same industry as not discarded and thus not subject to regulation of wastes under Subtitle C of RCRA. EPA also proposed codification of long-standing criteria used to determine whether recycling is "legitimate." The comment period ended on February 24, 2004, and EPA is currently reviewing the large number of comments received. At this time, EPA hopes to complete a final rule by the end of the calendar year in 2006. **For further information Contact Ingrid Rosencrantz at 202-564-9696**

RCRA Burden Reduction Initiative

In accordance with the goals of the Paperwork Reduction Act (PRA) of 1995, EPA is in the process of finalizing changes to the regulatory requirements of the Resource Conservation and Recovery Act (RCRA) hazardous waste program to significantly reduce the burden these requirements impose on the States, the public, and the regulated community.

The Agency plans to finalize, sometime in 2005, 100 changes to the Subtitle C hazardous waste regulations that will, in most cases, eliminate or modify duplicative reporting and/or recordkeeping requirements. Some changes however will address records retention time, reducing facility self-inspection frequencies, and streamlining personnel training requirements. This rulemaking is the culmination of over four years of work in cooperation with State and Regional offices, Agency experts, and stakeholders. Once promulgated, it will streamline our information collection requirements to ensure that only the information that is actually needed and used to effectively implement the RCRA program is collected. At the same time, the changes we will be finalizing will have no impact on the protection provided to human health and the environment that RCRA has established.

The RCRA Burden Reduction Initiative proposal as well as two other supporting Federal Register notices can be found at www.epa.gov/epaoswer/hazwaste/data/burdenreduction **For further information Contact Robert Burchard at 703-308-8450**

Dyes and Pigments

On February 24, 2005, EPA published a final rule for a new hazardous waste listing for nonwastewaters from the production of certain organic dyes and pigments (Federal Register vol. 70, 9,138-9,180). This listing provides a flexible approach that focuses on the chemical constituents in the waste that present the greatest risk to human health and the environment. Wastes would not be hazardous if the constituents of concern are below the regulatory thresholds. Moreover, wastes are exempt from the hazardous waste listing if they are disposed in landfills that meet specific design standards or treated in permitted combustion units. This rule also establishes treatment standards for disposal of these wastes and designates the wastes as hazardous substances under CERCLA (Superfund). After considering the economic impacts of the proposed rule, EPA concluded that it will not result in significant economic impacts on small dyes and/or pigments production businesses. This rule supersedes proposals from 1994 and 1999 that were not made final because they relied on data claimed by industry to be confidential. See the EPA web site for further information.

(<http://www.epa.gov/epaoswer/hazwaste/id/dyes/index.htm>). **For further information Contact Robert Kayser at 703-308-7304**

Solvent-contaminated Shop Towels And Wipes

On November 20, 2003, EPA's Office of Solid Waste (OSW) published a proposed rule that, if made final, will change the regulations for 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 hazardous waste. Under most state programs, reusable towels are already conditionally excluded from regulation as hazardous waste.

OSW's proposed rule is meant to both clarify and streamline requirements for disposable and reusable solvent-contaminated shop wipes. For a generator to be eligible for the proposed exclusions, it would be required to meet certain conditions. The Agency took comment on record-keeping and reporting requirements, manifesting, accumulating wipes in covered

containers, not transporting wipes with free liquids, and transporting containers off site in non-leaking containers.

The proposed rule can be found in the Federal Register at 68 FR 65586. The background documents supporting the rule and the comments received can be found on EPA's Docket website, at www.epa.gov/edocket under docket number RCRA-2003-0004. EPA is currently analyzing the comments received by the public. **For further information Contact Teena Wooten at 703-308-8751**

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 expects to publish a final rulemaking in 2005. **For Further Information Contact: Jeff Gaines at 703-308 8655**

Metal Finishers (F006) rulemaking

Many metal finishers and other industrial sectors generate an electroplating sludge as part of their production process that is amenable to recycling, i.e., the sludge contains economically recoverable amounts of metals such as copper, nickel, zinc, etc.

Currently these sludges (F006) are listed hazardous wastes subject to RCRA regulations. Many generators continue to send these sludges for treatment and disposal when they could be recycled. Similarly, generators currently sending their sludges for recycling receive no economic benefit for this practice. Since the mid-1990's, EPA has been working with industry and the States to create incentives for safe recycling and has promulgated rules to foster their practice.

EPA is currently evaluating several options that would provide regulatory relief to generators and handlers relative to the current RCRA subtitle C regulatory program for F006. A Notice of Proposed Rulemaking (NPRM) is anticipated in November of 2005. **For further information Contact Jim O'Leary.**

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

This final rule will 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 forthcoming rule will 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 Notice of Proposed Rulemaking (NPRM) was published in June 2002. A final rule is expected to be published in 2005. **For further information Contact Marilyn Goode at 703-308-8771**

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 were peer-reviewed by three independent peer reviewers. EPA published a Notice of Data Availability on January 29, 2003 (68 FR 4481) which described the results of the treatability studies and the peer review and discussed alternatives to the current requirements, such as treatment variances. **For further information Contact Mary Jackson at 703-308-8453**

Uniform Hazardous Waste Manifest Update

The Manifest Final rule was published in the Federal Register (FR) on March 4, 2005 (70 FR 10776). The final rule announced manifest system reforms to the manifest form itself and procedures for using the form. Specifically, revisions announced in the final rule standardize the content and appearance of the manifest form (EPA Form 8700-22) and the continuation sheet (EPA Form 8700-22A), make these forms available from a greater number of sources, and adopt new procedures for tracking certain types of waste shipments with the manifest. However, manifest users cannot use the new forms and follow the new manifest requirements established in the March 2005 final rule until September 5, 2006. In the meantime, the existing manifest forms and requirements will continue to be implemented. The manifest form revisions aim to reduce the manifest system's paperwork burden on users, while enhancing the effectiveness of the manifest as a tool to track hazardous waste shipments that are shipped from the site of generation to treatment, storage, or disposal facilities (TSDFs). Although EPA proposed an electronic hazardous waste manifest (e-manifest) system in the May 2001 proposed rule, the Agency did not announce standards for an e-Manifest system in the March 2005 final rule.

Comments on the e-Manifest component of the May 2001 proposal suggested the Agency consider alternative system architectures to the proposed decentralized approach, which is based on the assumption that EPA's role would be limited to developing e-Manifest standards, while private entities (e.g., waste firms or IT vendors) would develop the systems. The Agency has been conducting additional analyses on several key issues related to the e-Manifest Rule. On May 19 - 20, 2004, EPA's Office of Solid Waste (OSW) conducted a two-day public

meeting with stakeholders on the future direction of the e-Manifest. The meeting included plenary and breakout sessions addressing the policy, information technology, and funding issues associated with the e-Manifest. The meeting was well attended by hazardous waste generators, waste management firms, IT vendors and consultants, and representatives from several state environmental agencies. In particular, the Agency learned that there is strong support from stakeholders for EPA to develop and implement a consistent, national e-Manifest system. As part of the national e-Manifest system, EPA would have a new role in collecting e-Manifests. As a result of this meeting, OSW hopes to publish a final rule by the Summer of 2006 that will authorize a national e-manifest system. **For further information Contact Bryan Groce at 703-308-8750**

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 completely 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 was published, on July 17, 2002, which, among other provisions, amends some of the capacity requirements. However, following concerns expressed by several trade associations reflecting impacts foreseen by their facility members, EPA has published on April 17, 2003 a final rule extending the compliance dates in the SPCC rule by 18 months.

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.

Now, EPA is considering another compliance extension, but no final decision has been reached **For further information Contact Hugo Fleischman at 202-564-1968**

BROWNFIELDS SMALL BUSINESS LIABILITY RELIEF AND BROWNFIELDS REVITALIZATION ACT

EPA Published Proposed Rule on All Appropriate Inquiries

On August 26, 2004, EPA published a proposed rule that would set federal standards and practices for the conduct of "all

appropriate inquiries.” EPA is required to promulgate federal regulations for the conduct of all appropriate inquiries under the Small Business Liability Relief and Brownfields Revitalization Act (the Brownfields Amendments). The Brownfields amendments amended the CERCLA liability provisions governing the innocent landowner defense and added to CERCLA certain liability protections for bona fide prospective purchasers and contiguous property owners. As a condition for obtaining liability protection, innocent landowners, bona fide prospective purchasers and contiguous property owners are required to conduct all appropriate inquiries to determine past ownership and uses of a property, and assess the environmental conditions of the property, prior to the purchase date of the property.

EPA developed the proposed regulations using a negotiated rulemaking process. The proposed regulatory language is the language negotiated by the Regulatory Negotiation Committee and the language on which the Committee reached consensus in November 2004. The public comment period for the proposed rule closed on November 30, 2004.

Currently, EPA is reviewing and considering all public comments received in response to the proposed rule. After considering the issues raised in public comments, EPA will develop and promulgate a final rule that will set federal standards for the conduct of all appropriate inquiries. EPA anticipates publishing a final rule on or before January 2006. Additional information about the proposed rule and the negotiated rulemaking process can be found at the EPA Website at: www.epa.gov/brownfields/regneg.htm.

When a final rulemaking is promulgated it will replace the interim standard established by Congress in the Brownfields Amendments, which is the ASTM E1527 Phase I Environmental Site Assessment Standard.

For additional information, contact Patricia Overmeyer of EPA’s Office of Brownfields Cleanup and Redevelopment at 202- 566-2774.

EMERGENCY PLANNING, AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)

Major requirements of this 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 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.

Tier2 Submit 2004 Software Available

- The Office of Emergency Management (OEM) is pleased to announce the release of Tier2 Submit 2004 software, now available for download from the EPA web site. The software, in its fourth year, is now available at <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/tier2.htm>.
- At our site, you will also find background information on EPCRA Tier II requirements, links to State Tier II

information and frequently asked questions about Tier2 Submit.

- If you have any technical issues with Tier2 Submit or CAMEOfm please don’t hesitate to contact the RMP Reporting Center at: (301) 429-5018 (8am-4:30pm M-F) or via e-mail at: userrmp.usersupport@csc.com
- Direct Final Rule and Proposed Rule: Trade Secrecy Claims for Emergency Planning and Community Right-to-Know Information; and Trade Secret Disclosures to Health Professionals; Amendment On November 14, 2003, the trade secret regulations under the Emergency Planning and Community Right-to-Know Act (EPCRA) were amended to remove an incorrect mailing address and an outdated substantiation form for trade secrecy claims.
- This amendment is effective on January 13, 2004, unless EPA receives adverse comments by December 15, 2003. The direct final amendment can be viewed in the November 14, 2003 Federal Register (68 FR 64719), or at the EPA website at: http://www.epa.gov/fedrgstr/EPA-TRI/2003/November/Day-14/tri_28419.htm.

- Tier2 Submit 2003 Software Available
- The Office of Emergency Prevention Preparedness and Response (OEPPR) is pleased to announce the release of Tier2 Submit 2003 software, now available for download from the OEPPR web site. Tier2 Submit 2003 has new features, meets participating State’s Tier II requirements and will be fully compatible with the new release of CAMEOfm (February 2004). The new software, in its third year, is now available at <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/tier2.htm>.
- At our site, you will also find background information on EPCRA Tier II requirements, links to State Tier II information and frequently asked questions about Tier2 Submit. One issue that needs your attention is Tier2 Submit’s compatibility with CAMEOfm. CAMEOfm is currently being revised to accommodate specific state changes and will be ready for download sometime in February. Please check the CAMEO website frequently for the latest updates - <http://www.epa.gov/ceppo/cameo/>
- If you have any technical issues with Tier2 Submit or CAMEOfm please don’t hesitate to contact the RMP Reporting Center at: (301) 429-5018 (8am-4:30pm M-F) or via e-mail at: userrmp.usersupport@csc.com

Toxics Release Inventory (TRI)

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 and chemical categories. 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 (20,000 hours); (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 solvent recovery services on a contract or fee basis)), or the facility is a federal facility; and (3) exceed any one activity threshold such as

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 Item 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 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 Item K-29.

Persistent Bioaccumulative Toxic (PBT) Chemicals—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 other 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 Item K-29.

Toxics Release Inventory (TRI) Public Data Release

EPA released the 2003 TRI Data on May 11, 2005. TRI Public Data Release (PDR) documents and data access are available via the web at: <http://www.epa.gov/tri/tridata/tri03/index.htm>. Available for the 2003 Data Release are a brochure of overview information and an eReport which includes a summary of key findings and various tables and charts. The PDR eReport serves as a supplement to EPA's on-line tool, TRI Explorer, where users of TRI data can retrieve electronic 2003 state fact sheets that provide a snapshot of each state's releases and other waste management activities and a description of the information included in the state fact sheet. TRI Explorer can be accessed at: (<http://www.epa.gov/triexplorer>).

EPA released the 2002 TRI data on June 23, 2004. EPA also released one electronic publication summarizing the 2002 data: the 2002 TRI Public Data Release (PDR) Report (EPA-260-R-04-003). This report provides an overview of the 2002 TRI reporting

year data and other information relating to TRI data. Prior year's data releases, from 1999 to 2003, are also available via the TRI website at: <http://www.epa.gov/tri/tridata/index.htm#pdr>.

Copies of Public Data Release documents may be obtained by calling (202) 564-9554 or by emailing TRIDOC@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 Final Rule

EPA has issued a final rule (69 FR 18489, April 8, 2004) that establishes reporting procedures that support the effort of 40 CFR part 40 par 745, subpart L to ensure that lead abatement professionals are trained and certified. The final rule includes procedures to notify the Agency: 1) prior to commencement of lead-based paint abatement activities; 2) prior to providing lead-based paint activities training courses; and 3) following completion of lead-based paint activities training courses. These requirements are necessary to provide EPA compliance monitoring and enforcement personnel with information necessary to track compliance activity and to prioritize inspections. Item E-40. For Further Information Contact: Mike Wilson at: (202) 566-0521

Lead: Management and Disposal of Lead-based Paint Debris

Rules were changed (FR 6/18/03, pp 36487-95) to allow construction and demolition landfills to accept residential lead-based paint (LBP) waste for disposals so long as the landfills do not accept any other household waste. Item E-47. **For Further Information Contact: Paul Cassidy at: (703) 308-7281**

GENERAL

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 about commercial-ready technology 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. In 2003, ETV also began verifying homeland security technologies for monitoring and treating chemical and biological agents. By April, 2005, 317 private sector environmental and homeland security technologies had been verified, with over 70 in the testing process. Information on the ETV program may be accessed at the ETV web site at www.epa.gov/etv. The ETV program also has a listserv, ETVoice, which sends a brief monthly message highlighting new and updated information on the web site to anyone interested in the ETV program. 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.

What's New in Chemical Accident Prevention

EPA's Office of Emergency Management (OEM)

Regulatory Developments

- The amendments to the Chemical Accident Prevention Rule were published in the Federal Register on April 9, 2004. The full citation and link are given below:

Accidental Release Prevention Requirements: Risk Management Program Requirements Under Clean Air Act Section 112(r)(7); Amendments to the Submission Schedule and Data Requirements; Final Rule. [69 FR 18819](#), April 9, 2004.
- A factsheet titled *Changes to the Chemical Accident Prevention Rule (Risk Management Program) in 2004* was issued in March 2005 and provides additional information about the reporting deadlines and the recent changes to the RMP reporting requirements. This factsheet is available on the EPA website at:
[http://yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/RMP2004_factsheet.pdf/\\$File/RMP2004_factsheet.pdf](http://yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/RMP2004_factsheet.pdf/$File/RMP2004_factsheet.pdf)
- Frequently Asked Questions (FAQs) for the amendments were approved and are available on the EPA website at: <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/2004-FAQ.htm>
- Following the April 9th amendments to the Chemical Accident Prevention Rule, EPA updated the Clean Air Act 112(r) Frequently Asked Questions (<http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/caa-faqs.htm>) and the Frequently Asked Questions about RMP*Submit2004 (http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/rmp_submit_faq.htm).
- RMP*Submit 2004 was made available in April, 2004 as well. This software is available from the EPA website at: <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/ap-rmsb.htm>

To subscribe to OEM e-mail updates through our List Serve:

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

Visit the OEM Website: www.epa.gov/emergencies

For regulatory questions, contact the Superfund, TRI, EPCRA, RMP, and Oil Information Center:

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

Small Business by the Numbers

Answers to Frequently Asked Questions

What is a small business?

The Office of Advocacy defines a small business for research purposes as an independent business having fewer than 500 employees. Firms wishing to be designated small businesses for government programs such as contracting must meet size standards specified by the U.S. Small Business Administration (SBA) Office of Size Standards. These standards vary by industry; see www.sba.gov/size.

How important are small businesses to the U.S. economy?

Small firms

- Represent 99.7 percent of all employer firms.
- Employ half of all private sector employees.
- Pay 44.3 percent of total U.S. private payroll.
- Have generated 60 to 80 percent of net new jobs annually over the last decade.
- Create more than 50 percent of nonfarm private gross domestic product (GDP).
- Supplied more than 23 percent of the total value of federal prime contracts in FY 2003.
- Produce 13 to 14 times more patents per employee than large patenting firms. These patents are twice as likely as large firm patents to be among the one percent most cited.
- Are employers of 39 percent of high tech workers (such as scientists, engineers, and computer workers).
- Are 53 percent home-based and 3 percent franchises.
- Made up 97 percent of all identified exporters and produced 29 percent of the known export value in FY 2001.

Sources: U.S. Bureau of the Census; Advocacy-funded research by Joel Popkin and Company (Research Summary #211); Federal Procurement Data System; Advocacy-funded research by CHI Research, Inc. (Research Summary #225); Bureau of Labor Statistics, Current Population Survey; U.S. Department of Commerce, International Trade Administration.

How many small businesses are there?

In 2003, there were approximately 23.7 million businesses in the United States, according to Office of Advocacy estimates. The Internal Revenue Service (IRS) estimates there were 27.0 million nonfarm business tax returns in 2003; however, this number may overestimate the number of firms, as one business can operate more than one taxable entity.

IRS estimates the number of sole proprietorships (roughly equal to nonemployers) increased 2.4 percent in 2002 and is expected to increase 1.9 percent in 2003. Census data show there were 5.7 million firms with employees and 17.0 million without employees in 2001. Applying the sole proprietorship growth rates to the nonemployer figures and similar Department of Labor growth rates to the employer figures produces the 23.7 million figure. Small firms with less than 500 employees represent 99.7 percent of the 23.7 million businesses.

How many businesses open and close each year?

Estimates for businesses with employees indicate there were 572,900 new firms and 554,800 closures (both about 10 percent of the total) in 2003.

Starts and Closures of Employer Firms, 1995-2003

Category	1995	2000	2001	2002	2003
New Firms	594,369	574,300	585,140	589,700e	572,900e
Firm Closures	497,246	542,831	553,291	569,000e	554,800e
Bankruptcies	51,959	35,472	40,099	38,500	35,037

e = Estimate using percentage changes in similar data provided by the U.S. Department of Labor, Employment and Training Administration
Sources: U.S. Bureau of the Census; Administrative Office of the U.S. Courts; U.S. Department of Labor, Employment and Training Administration.

How many new jobs do small firms create?

In 2000-2001 (according to the most recent data), small businesses created all of the net new jobs in the U.S. Firms with less than 500 employees saw a net increase in employment of 1,150,875; however, large business employment decreased on net by 150,905. Overall net employment increased 999,970.

The small business share varies from year to year and reflects economic trends. Over the decade of the 1990s, small business net job creation fluctuated between 60 and 80 percent. Having small businesses account for all of the net new jobs is not unique to 2000-2001. During an economic downturn in the early 1990s, a similar result occurred.

Source: U.S. Bureau of the Census.

The SBA's Office of Advocacy was created by an act of Congress in 1976 to protect, strengthen, and effectively represent the nation's small businesses within the federal government. As part of this mandate, the office conducts policy studies and economic research on issues of concern to small business and publishes data on small business characteristics and contributions. For instant access to small business resources, statistics, and research, visit the Office of Advocacy's home page at <http://www.sba.gov/advoc>.

What is small firms' share of employment?

The small business share of employment remains around 50 percent. Although small firms create more than half—and sometimes all—of the net new jobs, some firms will become large firms as new jobs are created. Of 115.1 million nonfarm private sector workers in 2001, small firms with fewer than 500 workers employed 57.4 million and large firms, 57.7 million. Smaller firms with fewer than 100 employees employed 41.0 million.

What is the survival rate for new firms?

Two-thirds of new employer firms survive at least two years, and about half survive at least four. Owners of about one-third of firms that closed said their firm was successful at closure. Major factors in a firm's remaining open include an ample supply of capital, the fact that a firm is large enough to have employees, the owner's education level, and the owner's reason for starting the firm in the first place, such as freedom for family life or wanting to be one's own boss.

Business survival also varies by industry and demographics. The highest 1992–1996 survival rate for firms owned by white non-Hispanics was in oil and gas extraction (82 percent). African Americans were most successful in legal services (79 percent), and Hispanic and Asian Americans in health services (66 percent and 76 percent, respectively).

Sources: *Business Success: Factors Leading to Surviving and Closing Successfully* by Brian Headd, Center for Economic Studies, U.S. Bureau of the Census, Working Paper #CES-WP-01-01, January 2001; Advocacy-funded research by Richard J. Boden (Research Summary #204).

How are small businesses financed?

About 82.5 percent of small firms used some form of credit in 1998. Small firms use many different sources of capital, including their own savings, loans from family and friends, and business loans from financial institutions. Credit cards, credit lines, and vehicle loans are most often used. Commercial banks are leading suppliers, followed by owners and finance companies. Data from the Federal Reserve Board Survey of Small Businesses Finances, 2003 are currently being prepared.

Small Firms using Financial Services, 1998
(Percent reporting use of various types of credit)

Credit Type	Total Small Business	Women-Owned	Minority- and Hispanic-Owned
Any Credit	82.5%	78.2%	76.9%
Traditional			
Credit Types	55.0	46.1	49.0
Business			
Credit Cards	34.1	28.8	28.6
Personal			
Credit Cards	46.0	47.5	45.5

Source: Federal Reserve Board, Survey of Small Business Finances, 1998.

What role do women, minority, and veteran entrepreneurs play in the economy?

- Women owned 5.4 million businesses that generated \$819 billion in revenues, employed more than 7 million workers, and had nearly \$150 billion in payroll in 1997. About three-

quarters were sole proprietorships with receipts under \$50,000.

- Of U.S. firms in 1997, 5.8 percent were owned by Hispanic Americans, 4.4 percent by Asian Americans, 4.0 percent by African Americans, and 0.9 percent by American Indians. Of total minority-owned business receipts, Asian American-owned businesses earned more than 51 percent; Hispanic Americans, 31 percent; African Americans, 12 percent; and American Indians, 6 percent.
- Veteran self-employed people numbered about 1.6 million or 14 percent of all U.S. self-employed in 2001.
- More current data from the Census Bureau Survey of Business Owners, 2002 are not yet in.

Sources: Advocacy publications – *Women in Business, 2001*; *Dynamics of Women-Operated Sole Proprietorships, 1990-1998*; *Minorities in Business, 2001*; veteran self-employment data from a special tabulation of the Current Population Survey.

How do regulations affect small firms?

Very small firms with fewer than 20 employees spend 60 percent more per employee than larger firms to comply with federal regulations. Small firms spend twice as much on tax compliance as their larger counterparts.

Cost of Federal Regulations by Firm Size, All Business Sectors (Dollars)

Type of Regulation	Cost per Employee for Firms with: <20 Employees	500+ Employees
All Federal Regulation	\$6,975	\$4,463
Environmental	3,328	717
Economic	1,616	2,485
Workplace	829	698
Tax Compliance	1,202	562

Source: *The Impact of Regulatory Costs on Small Firms*, an Advocacy-funded study by W. Mark Crain and Thomas D. Hopkins, August 2001 (Research Summary #207).

Whom do I contact about regulations?

To submit comments on proposed regulations, send email to advocacy@sba.gov. To follow up on regulatory enforcement issues, email regfair@sba.gov.

How can I get more information?

For more detailed information from the Office of Advocacy, visit www.sba.gov/advo/. Sign up at <http://web.sba.gov/list> for email delivery of news releases, *The Small Business Advocate* newsletter, small business research findings and statistics, and regulatory communications.

Office of Advocacy economic research can be found at www.sba.gov/advo/stats. Specific points of interest include:

- Firm size data (static/dynamic for the U.S., states and metropolitan statistical areas): www.sba.gov/advo/stats/data.html
- Small firm lending studies (1994-present): www.sba.gov/advo/stats/lending
- State economic profiles (1998-present): www.sba.gov/advo/stats/profiles
- *The Small Business Advocate* monthly newsletter (1996-present): www.sba.gov/advo/news/

Direct questions to (202) 205-6533 or advocacy@sba.gov.

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 2005

<p>Region 1 Leo R. Blais (Chair) Pawtuxet Valley Prescription Ctr. 85 Sandy Bottom Road Coventry, RI 02816</p>	<p>James M. Knott, Sr. Riverdale Mills Corporation 456 Hill Street Whitinsville, MA 01588</p>	<p>Laura L. Monica High Point Communications Group 553 Route 3A Bldg 3 Bow, OH 03304-3242</p>	<p>David A. Tibbetts Smith, Segel, & Sowalsky 50 Congress Street Suite 300 Boston, MA 02109 (508) 234-7804</p>	
<p>Region 2. Jose M Garcia-Ramis Action Service Corporation PO Box 364866 San Juan, PR 00936</p>	<p>W. Timothy Howes (Chair) Howes & Howes 26 Anderson Street Raritan, NJ 08869</p>	<p>Eric Jenkusky Spark Management Resources 112 Central Avenue Oneonta, NY 13820</p>		
<p>Region 3. Frank Donati Whiteoak Turf Care 5290 Fisher Crest Lane Richmond, VA 23231 (804) 795-2040</p>	<p>Felix J. Jackson (Chair) DataProbe Technical Service 9722 Groffs Mill Dr., Suite 110 Owings Mills, MD 21117 (443)-831-3047</p>	<p>Pamela Mazza 888 17th St. NW, Suite 1100 Washington, DC 20006</p>	<p>Frank A. Ursomarso, Sr. Union Park Automotive Group, Inc. P. O. Box 2508 Wilmington, Delaware 19805 (302) 573 5202</p>	
<p>Region 4 George Dobbins, Jr. Southern Communications Systems Five North Third Street Memphis, TN 38103 (901) 523-7236</p>	<p>Paul Hsu, Ph.D. Manufacturing Technology, Inc. 70 Ready Avenue, N.W. Fort Walton Beach, FL 32548 (850) 664-6007</p>	<p>Stanley L. King S. L. King and Associates 34 Peachtree Street, NW Suite 1000 Atlanta, GA 30303</p>	<p>R. Bruce McCrory Kiker Corporation 3150 Lees Lane Mobile, AL 36693-5227 (251) 661-1971</p>	<p>Douglas McFarland (Chair) Radio Station 98.9 - Charleston 926 Trowman Lane Mt. Pleasant, SC 29464 (843) 767-8100</p>
<p>Region 5. Edward Aprahamian 4201 N. Oakland Ave., 2nd Fl Shorewood, WI 53211 (414) 906-1505</p>			<p>Doug Hilbert (Chair) Professional Technical Development 3001 Coolidge Rd, Ste 403 East Lansing, MI 48823 (517) 333-9363, Ext. 12</p>	
<p>Region 6. Jose Cuevas, Jr. (Chair) JumBurrrito 1701 N. Big Spring Street Midland, TX 79701 (915) 520-3529</p>	<p>Regina N. Hamilton Jones, Walker, Waechter, Poitevant Carrere and Denegre, LLP 8555 United Plaza Blvd, 5th Fl Baton, Rouge, LA (225) 248-2088</p>	<p>Harold McAlpine Christmas Tree Farm 197 christmas Tree Land Bismark, AR 71929 (501) 865-3731</p>	<p>A. Joseph Shepard Regent Capital Partners, Inc. 6611 Hillcrest Avenue, #501 Dallas, TX 75205-1301</p>	<p>Mary Ann Weems Weems Galleries and Framing 2509 Don Juan Loop, N.E. Albuquerque, NM 87112 (505) 293-6133</p>
<p>Region 7. Paul Kinyon (Chair) Realty Advisors LLC 4800 N. River Blvd. NE, Ste 200 Cedar Rapids, IA 52411</p>	<p>Jeanette Prenger ECCO Select 3101 Broadway, Suite 460 Kansas City, MO 64111 (816) 960-3800</p>	<p>James J. Ziebarth RR 1, Box 14A Wilcox, NE 68982 (308) 478-5255</p>		
<p>Region 8. Salvador Gomez, Jr. Source One Management ,Inc 1225 17th St Suite 1500 Denver, CO 80202 (303) 832-8600</p>	<p>James J. Larsen (Chair) Sioux Steam Cleaner Corp One Sioux Plaza Beresford, SD 57004 (605) 624-4707</p>	<p>Brenda Mosher Interim Health Care of Wyoming 1010 East First St, Suite A Casper, WY 82601 (307) 577-8041</p>	<p>Michael Stransky, FAIA 375 West 200 South, Ste 100 Salt Lake City, UT 84101 (801) 521-8600</p>	<p>Nancy Warneke-Gaynor 1992 KM Ranch Road Whitefish, MT 59937 (406) 862-3802</p>
<p>Region 9.</p>	<p>Barry M. Gold (Chair) 2402 Michelson, Ste 225 Irvine, CA 92612-1323 (949) 660-5677</p>	<p>Robert L. Gore Becker Realty Corporation 50 S. Jones Blvd Las Vegas, NV 89107 (949) 260-8070</p>	<p>Kimberly King King Security Services 323 Geary Street Suite 606 San Francisco, CA 94102</p>	
<p>Region 10. Michael Dahmer Systems Associates, Inc. 573 Glacier Drive (PO Box F) Jerome, ID 83338</p>	<p>Carl Grossman (Chair) Public Private Partnerships, Inc. 4800 SW Macadam Avenue, Suite 309 Portland, OR 97239 (503) 219-9500</p>	<p>Sue Linford Linford of Alaska, Inc 135 Cordova Anchorage Anchorage, AK 99501</p>		<p>Shiao-Yen Wu 9500 Roosevelt Way NE No. 100 Seattle, WA 98115</p>

Regulatory Flexibility Act/Small Business Regulatory Enforcement Fairness Act (RFA/SBREFA)

The Small Business Regulatory Enforcement Fairness Act (SBREFA), passed in March 1996, amended the Regulatory Flexibility Act (RFA) to further the Agency's partnerships with small entities in our rulemakings. One of the important goals of the RFA/SBREFA, is to provide small entities with an expanded opportunity to participate in the development of certain regulations. EPA is the government leader implementing SBREFA.

Under RFA/SBREFA, the Agency must prepare a formal analysis of the potential negative impacts on small entities, convene a Small Business Advocacy Review Panel (proposed rule stage), and prepare a Small Entity Compliance Guide (final rule stage) unless the Agency certifies a rule will not have a significant economic impact on a substantial number of small entities.

Accomplishments:

- 27 Small Business Advocacy Review Panels completed;
- 27 NPRMs published following completion of a Panel process -- each proposal reflected the advice and recommendations of the Panel;
- Over 450 small-business, small-community, and small non-profit representatives have advised the Panels;
- Over 260 recommendations made by Panels to address the particular concerns of regulated small entities;
- EPA has received letters of appreciation from the Small Business Administration, as well as favorable comments from small businesses associated with the process; and Small Business Congressional testimony to Senator Bond: "EPA has the best program of small-business outreach in the Government."
- EPA's outreach and accommodations for small businesses in the majority of rules that are not subject to the Panel process have been greatly improved; and
- Small Community Advisory Subcommittee of Local Government Advisory Committee found that Panels' outreach "provide excellent examples of consultation with small governments."

SBREFA Is Working Well:

- Each Panel's report included concrete recommendations to the Administrator with positive outcomes for the Agency and small entities;
- The influence of SBREFA extends beyond the statutory requirements themselves; and
- EPA's policy is to conduct outreach and provide accommodations, where appropriate and allowable, in ANY rule that imposes ANY impact on small businesses.

Sample Outcomes:

- The Class V Underground Injection rule allows many small businesses to continue use of their wells under permit (as opposed to a contemplated ban) and allows funeral homes to continue use of their injection wells pending further study;
- The proposed rule addressing the Sulfur Content of Gasoline provides an extended period (four to six years) for small refineries to comply with rule requirements, without damage to the fuel supply;
- This rule did not include a substantial number of smalls but we conducted the panel nonetheless and provided compliance flexibility,
- The Panel for the Industrial Laundries Effluent Guideline re-evaluated the risks posed by the many

- small businesses likely to be regulated. This Panel was conducted very early in the process;
- The Panel recommended the Agency take comment on a “no-regulation” option; and
- EPA eventually withdrew the regulatory proposal, and the industry introduced a voluntary pollution-prevention program.

REGULATIONS DEVELOPED WITH SBREFA PANELS

- Control of Emissions of Air Pollution from Nonroad Diesel Engines (OAR)
- Effluent Guidelines and Standards for the Industrial Laundries Point Source Category (OW)
- NPDES Comprehensive Storm Water Phase II Regulations (OW)
- Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category (OW)
- Effluent Guidelines and Standards for the Centralized Waste Treatment Industry (OW)
- Revisions to the Underground Injection Control Regulations for Class V Injection Wells (OW)
- National Primary Drinking Water Regulations: Ground Water Rule (OW)
- Phase I Federal Implementation Plans (FIPs) to Reduce the Regional Transport of Ozone in the Eastern United States (OAR)
- Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport (OAR)
- National Primary Drinking Water Regulations: Radon (OW)
- National Primary Drinking Water Regulations: Long Term 1 Enhanced Surface Water Treatment Rule (OW)
- National Primary Drinking Water Regulations: Filter Backwash Recycling Rule (OW)
- Tier II Light-Duty Vehicle and Light-Duty Truck Emission Standards and Gasoline Sulfur Standards (OAR)
- National Primary Drinking Water Regulations: Arsenic and Clarifications to Compliance and New Source Contaminant Monitoring (OW)
- Control of Emissions of Air Pollution from New Compression-Ignition and Spark-Ignition Recreational Marine Engines (OAR) **completed a panel but withdrawn before publication**
- Heavy-Duty Engine Emission Standards & Diesel Fuel Sulfur Control Requirements (OAR)
- Lead-Based Paint Activities; Training and Certification for Renovation and Remodeling Section 402(c)(3) (OPPTS)
- Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases 1 and 2 (OW)
- National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitations Guidelines Standards for Concentrated Animal Feeding Operations (CAFOs) (OW)
- NESHAP: Reinforced Plastic Composites Production (OAR)
- National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule (OW)
- National Primary Drinking Water Regulations: Stage 2 Disinfectants/Disinfection Byproducts Rule (OW)
- Control of Emissions from Nonroad Spark-Ignition Engines and Standards for Recreational Spark-Ignition Engines (OAR)
- Control of Emissions from Highway Motorcycles (OAR)
- Effluent Guidelines and Standards for the Construction and Development Industry (OW)
- NESHAP: Lime Manufacturing (OAR)
- Effluent Guidelines and Standards for the Concentrated Aquatic Animal Production Industry (OW)
- Control of Emissions of Air Pollution from Nonroad Diesel Engines and Fuel (OAR)
- Cooling Water Intake Structures at Existing Facilities Under Section 316(b) of the CWA, Phase 3 (OW)

For Further Information Contact: **Joan Crawford** at (202) 564-6568 or by email at crawford.joan@epa.gov

Q&A's on EPA's Small Business Compliance Policy

April 26, 2005

Q: What is the purpose of the Small Business Compliance Policy?

A. To promote environmental compliance among small businesses by providing them with special incentives.

Q: What incentives are available under the Small Business Compliance Policy?

A. EPA will eliminate civil penalties for small businesses that voluntarily discover, promptly disclose, and correct violations in a timely manner. However, 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 violation(s).

To date, no business has been assessed a penalty for economic benefit under the Small Business Compliance Policy. In the 2004 Small Business Paper Relief Act Report to Congress on Enforcement Actions and Penalties, EPA waived (100%) all penalties for every small business that voluntarily disclosed violations under the Small Business Compliance Policy.

Q: What conditions must be satisfied to use the Small Business Compliance Policy?

A. The small business must: (1) have a "good" compliance record; (2) voluntarily discover the violation (*e.g.*, through on-site compliance assistance or a voluntary environmental audit); (3) disclose the violation in writing within 21 days of discovery; and (4) correct the violation and remedy any associated harm within 180 days of its discovery (360 days if correction will involve using pollution prevention technologies).

Q: What is a "small" business?

A. A small business is one that employs 100 or fewer individuals across all facilities and operations that the business owns. Of course, determining the size of the business can sometimes involve looking at parent-subsidiary relationships. If the subsidiary is minimally controlled by the parent and does not share many of the parent's resources, then it may be appropriate to look at the subsidiary in the same way one would look at an independent, small business. Such an inquiry is very fact-specific.

Q: What is a "good" compliance record for purposes of being able to use the Small Business Compliance Policy?

A. A business that has not been subject to two or more enforcement actions for any environmental violation in the past 5 years. Also, the business has not used the Small Business Compliance Policy for a violation of the same or similar requirement within the past 3 years.

Q: Are any types of violations ineligible?

A. Ineligible violations are those that: (1) caused actual serious harm to public health, safety or the environment; (2) may present an imminent and substantial endangerment to public health or the environment; or (3) involved criminal conduct. In addition, violations identified through a monitoring or sampling requirement prescribed by statute, regulation, permit, or judicial or administrative order or consent agreement are ineligible (*e.g.*, emission violations discovered through required continuous emissions monitoring or alternative monitoring established in a permit, or violations of National Pollutant Discharge Elimination System discharge limits discovered through required sampling or monitoring).

Q: Will disclosure under the Small Business Compliance Policy mean that I will be more likely to be targeted for inspections?

A. No. Disclosure is more likely to result in EPA directing its limited resources towards businesses where there is greater reason to question compliance with the law.

Q: How can a company make a disclosure under the Small Business Compliance Policy?

A. Contact your Regional EPA office. Contacts are listed below.

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Region 2:	Ron Lockwood	212-637-3413	Ron Lockwood	212-637-3413
Region 3:	Frank Fritz	215-814-2664	David Byro	215-814-5563
Region 4:	Carol Bachon Greg Tan	404-562-9528 404-562-9697	Annette Hill	404-562-8287
Region 5:	Richard Murawski	312-353-6721	Glynis Zywicki	312-886-4571
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Region 8:	Peggy Livingston	303-312-6858	Maureen Kiely	303-312-6262
Region 9:	Brian Riedel	415-744-1380	Angela Baranco	415-744-4262
Region 10:	Robyn Hoffmann	206-553-7154 7154	Robyn Hoffman	206-553-7154

Q: Is EPA open to suggestions on how to improve the Small Business Compliance Policy?

A. Yes. EPA wants to encourage small businesses to learn about environmental compliance and pollution prevention through the wide range of programs and tools available to them through regulatory agencies, private and non-profit organizations, and the Internet. We are always interested in suggestions on better ways to do that. Contact Jonathan Binder, 202-564-2516.

Q: Where can I get more information on the Small Business Compliance Policy and EPA's compliance assistance program?

A. For the Small Business Compliance Policy go to www.epa.gov/compliance/incentives/smallbusiness and for general information about EPA's compliance assistance program go to www.epa.gov/compliance.

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** at (202) 564-2429.

Compliance Assistance Centers

www.assistancecenters.net

The U.S. Environmental Protection Agency has sponsored partnerships with industry, academic institutions, other groups to establish Compliance Assistance Centers for 14 industry & government sectors. **These sector-specific resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply.**



Border Center: A web site for businesses importing hazardous waste across the U.S.-Mexico Border, with information to help them understand & comply. www.bordercenter.org

Construction Industry Compliance Assistance Center: An environmental compliance assistance web site for contractors and builders/developers. www.cicacenter.org

CCAR-GreenLink: Helps the auto service and repair community identify common sense ways to comply with environmental regulations. www.ccar-greenlink.org

ChemAlliance: Provides innovative web site features to direct chemical manufacturers to compliance assistance information and resources. www.chemalliance.org

Environmental Compliance for Automotive Recyclers: Provides plain language explanation of environmental regulations affecting automotive recyclers. www.ECARcenter.org

Healthcare Environmental Resource Center: Provides pollution prevention and compliance assistance information for the health care sector. www.HERCenter.org

Local Government Environmental Assistance Network: Serves as the "first-stop-shop" by providing EMS, planning and regulatory information for local government officials. www.lgean.org

National Agriculture Compliance Assistance Center (Ag Center): Serves as the "first stop" for environmental compliance information for the agriculture community www.epa.gov/agriculture

National Metal Finishing Resource Center: Provides comprehensive environmental compliance and technical assistance to the metal finishing industry. www.nmfrc.org

Paints & Coatings Resource Center: Provides regulatory compliance and P2 information to organic coating facilities. www.paintcenter.org

Printed Wiring Board Resource Center: Provides regulatory compliance and P2 information to printed wiring board manufacturers. www.pwbrc.org

Printers National Environmental Assistance Center (PNEAC): Provides compliance and P2 information, as well as two e-mail discussion groups. www.pneac.org

Transportation Environmental Resource Center (TERC): Provides compliance information for air, shipping, barging, rail, and trucking www.transource.org

FedCenter: Provides compliance information and tools designed specifically to meet the growing environmental needs of federal facilities. www.FedCenter.gov

For more information, contact Tracy Back
202/564-7076
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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!

Compliance Assistance Centers Survey Their Users



Once a year, the Centers survey their users, even first-time visitors, on how well they help businesses, local governments, and federal facilities understand environmental requirements and improve environmental management practices. The survey results help the Centers provide resources for environmental compliance. Please click on the Center sites at www.assistancecenters.net/2005survey and take a short 3-minute survey. **Act now..... the Centers are offering incentives to respond to the survey.**

Ford Motor Company Adopts CCAR's S/P2 Training

CCAR-GreenLink: Ford Motor Company has adopted CCAR's S/P2 online training in environmental and related safety issues for auto repair and will incorporate the course into Ford's Technical Career Entry Programs. CCAR, which operates the "CCAR-GreenLink Compliance Assistance Center, is also working with General Motors, DaimlerChrysler and Toyota Motor Sales, U.S.A., Inc., which have added S/P2 to their technician training curriculums.



CCAR provides the S/P2 course free of charge to automotive training programs at secondary and post-secondary schools throughout the U.S. To date, more than 1,700 programs, representing an audience of over 140,000 students, have enrolled.

New SPCC Training Module Available

Don't miss the Transportation Environmental Resource Center's new training module providing an overview on developing a Spill Prevention Control and Countermeasures (SPCC) Plan. This web-based training module also highlights some special SPCC considerations for facility owners and operators in transportation industries. Access the SPCC training at <http://isu.indstate.edu/SPCC/content.htm>.

Information for All 50 States Now Available At ECARcenter



Now available at ECARcenter - plain language explanations of state-specific environmental regulations affecting automotive recyclers for all 50 states. The state-specific fact sheets provide regulatory compliance information encompassing all aspects of automotive dismantling activities, including hazardous and solid waste, fluids management, storm water, used oil, scrap tires and other relevant topics. (See www.ecarcenter.org)

New from the Ag Center: Practical Information Now Available for Small Farms

Small-scale farms make up 94% of the farms in the United States. The Ag Center sponsored development of practical environmental stewardship information now available at: <http://www.epa.gov/agriculture/index.html#sflpes>

Seven initial titles about stewardship practices for small farm owners:

- How to be a Good Steward
- The ABCs of Pasture Grazing
- Managing Animal Deaths: Your Options
- Manure on Your Farm: Asset or Liability?
- Protecting the Water on Your Small Farm
- Got Barnyard and Lot Runoff?
- Good Stewardship Practices for Horse Owners

Occupational and Safety Information Now Available At CICAcenter

Don't miss the Construction Industry Compliance Assistance Center's new state agency locator for health and safety at: <http://cicacenter.org/oshatool.html>, providing direct access to state health and safety guidance and contact information. Also be sure to peruse the Center's expanded collection of construction specific compliance information, including EPA's new "Managing Your Environmental Responsibilities Guide - A Planning Guide for Construction and Development" (www.cicacenter.org/links/), which offers summaries of federal regulations that apply to construction sites, numerous references and detailed self-audit checklists.



Small Business Assistance Programs

Small Business Stationary Source Technical and Environmental Compliance Assistance Program, 507 Programs, Compliance Assistance Provider, Technical Assistance Programs, Small Business 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, two territories, and the District of Columbia now house a free, non-regulatory assistance programs consisting of three components:

Small Business Assistance Program SBAP

Provides the detailed technical assistance, publications, and tools 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 appointed by state Governors and Legislatures 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 - Clean Air Act definition; Other acts include other definitions
- 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;
- Typical customers of the program usually employ less than 25 individuals.

Location of the Programs



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

- Environmental Agencies
- Economic Development Agencies
- University System
- Health Departments
- 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 0-37 depending on the particular state. The average SBAP operates with a staff of three.



Program Budgets

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



Steering the Future of the SBAPs

In 1995, the SBAPs formed a Steering 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 conduits for information to other assistance providers in the region, and act as focal points of contact to disseminate information to and from the SBAP service providers. The Steering Committee provides a vehicle for identifying and resolving problems faced by the SBAPs.



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

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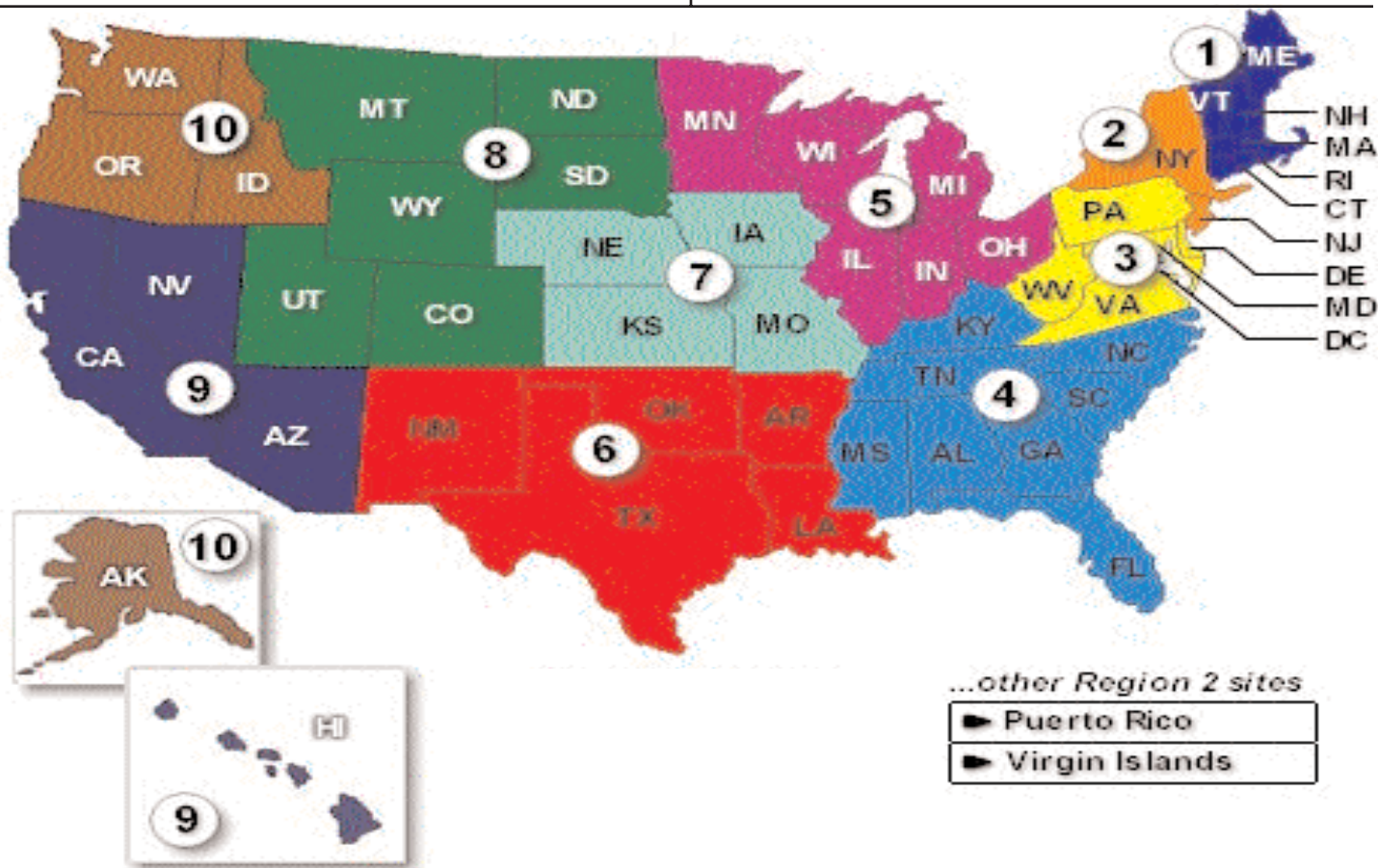
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Maria Rivera (PR)
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Terry L. Polen (WV)
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Federal Small Business Assistance (Dave Painter)	919-541-5515
New Source Review Program (Racqueline Shelton)	919-541-0898
Program Review (Karen Blanchard)	919-541-5503
Regulatory Steering Committee (Tom Eagles)	202-564-1952
Satellite Broadcasts/Training (Lourdes Morales)	919-541-4940
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Concentrated Animal Feeding Operations, CAFO (Paul Shriner)	202-566-1076
Environmental Management Systems (Jim Horne)	202-564-0571
Metal Products and Machinery Rule (Carey Johnston)	202-566-1014
Metal Products and Machinery Rule, Alternate (Shari Barash)	202-566-0996
Pretreatment Streamlining Rule (Jan Pickrel)	202-564-7904
Pretreatment Streamlining Rule/Stormwater Permits/Phase II Alternate, (Greg Schaner)	202-564-0721
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Stage 1 DBPR Small Systems Compliance Guide (Tom Grubbs)	202-564-5262
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Superfund Brochures (Carolyn Offutt)	703-603-8797
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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	919-541-7774
(www.epa.gov/ttn/emc)	
● □ Stratospheric Ozone Information	800-296-1996
(www.epa.gov/ozone)	
● □ Acid Rain (emission trading, auctions, Information)	202-343-9620
(www.epa.gov/airmarkets)	
● □ Safe Drinking Water Hotline	800-426-4791
(www.epa.gov/safewater)	
● □ National Env. Service Center (WV Univ)	800-624-8301
(www.nsfcc.wvu.edu)	
● □ Storm Water Phase II Information	866-352-7755
● □ Water Resource Center	202-566-1729
● □ Wetlands Information	800-832-7828
(www.epa.gov/owow/wetlands)	
● □ Toxic Substance Control Act (TSCA) Information Service	800-471-7127
Washington Metro Area	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 Information Center	800-858-7378
(Http://npic.orst.edu)	
● □ EPA Waste Wise/Waste Reduction	800-372-9473
(www.epa.gov/wastewise)	
● □ Office of Environmental Justice Information Line	800-962-6215
● □ Office of Emergency Management	202-564-8600
(www.epa.gov/emergencies)	
● □ Small Business Innovation Research (SBIR)	800-490-9194
(http://epa.gov/ncerqa/sbir)	
● □ EPA Inspector General (IG)	888-546-8740
(www.epa.gov/oigearth)	
● □ Compliance Assistance Centers	202-564-7076
http://www.assistancecenters.net	
● □ Small and Disadvantaged Business Utilization	202-564-4100
(www.epa.gov/osdbu)	

OTHER WEBSITES & HOTLINES

Phone Number

- Small Business Environmental Home Page (412) 992-5349
(www.smallbiz-enviroweb.org)
- Recycling Hotline (877) 327-84911
(www.recycle.net/recycle),(www.cleanup.org)
- National Technical Information Service (NTIS) (800) 553-6847
(www.ntis.gov) (703) 605-6000
- National Response Center for reporting oil spills and hazardous (800) 424-8802
substance releases
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/hotline.html
- Energy-efficiency & Renewable Energy Information 877.337.3463
(Operated by the DOE)
(www.eere.energy.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))
- National Lead 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)
- Government Printing Office (866) 512-1800
(www.gpoaccess.gov)
- National Institute of Occupational Safety and Health (800) 356-4674
(www.cdc.gov/niosh/homepage.html)
- American Association of Poison Control Centers (202) 362-7217
(www.aapcc.org/)
- National Capital Poison Center (www.poison.org) (800) 222-1222

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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.

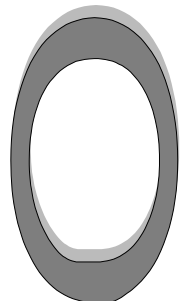
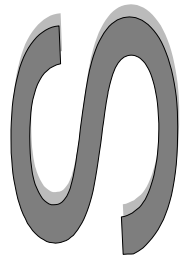
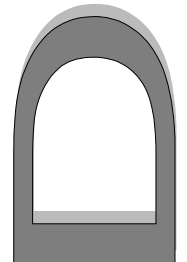
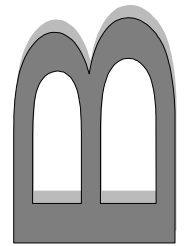
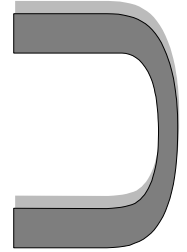
Direct Procurement Program

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 goals for:
 - Direct Procurement**
 - ☞ Small Business
 - ☞ 8(a) Business
 - ☞ Small Disadvantaged Business
 - ☞ Women-Owned Small Business
 - ☞ HUBZone Business
 - ☞ Service Disabled Veteran-Owned
 - Subcontracting**
 - ☞ Small Business
 - ☞ Small Disadvantaged Business
 - ☞ Women-Owned Small Business
 - ☞ HUBZone Business
 - ☞ Service Disabled Veteran-Owned
- ◆ 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, HACUs, HBCUs and MIs
- ◆ 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



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

MBE/WBE COORDINATORS

<u>REGION</u>	<u>COORDINATOR</u>	<u>STATES</u>	<u>TELEPHONE</u>
I	Sharon Molden	CT, ME, RI, MA, NH, VT	(617) 918-1062
II	Otto Salamon	NJ, NY, PR, VI	(212) 637-3417
III	Romona McQueen	DE, DC, MD, PA, VA, WV	(215) 814-5155
IV	Josephine Brown	AL, FL, GA, KY, MS, NC, SC, TN	(404) 562-8110
V	Sharon Green	IL, IN, MI, MN, OH, WI	(312) 353-5661
VI	Debora Bradford	AR, LA, NM, OK, TX	(214) 665-7406
VII	Chester Stovall	IA, KS, MO, NE	(913) 551-7549
VIII	Marshell Pullman	CO, MT, ND, SD, UT, WY	(303) 312-6862
IX	Joe Ochab	AZ, CA, HI, NV, AS, GU	(415) 972-3714
X	Marie McPeak	AK, ID, OR, WA	(206) 553-2894
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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 enable 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.