



Small Business Ombudsman UPDATE



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EPA's Revised Small Business Strategy is Final!

I am very excited to announce that EPA's revised *Small Business Strategy* was signed by EPA Administrator Christine Todd Whitman on June 27, 2003. This signing represents the culmination of an effort that involved all major EPA offices and regions, as well as states and other small business stakeholders. The Strategy lays out EPA's vision for unifying its diverse programs in a coordinated approach to small business issues, assistance, and the environmental performance of small businesses. I will keep you informed of EPA's progress in implementing this Strategy in the months to come.

The Strategy was the centerpiece of an unprecedented event on March 13, 2003, the first *National Summit for Small Business and the Environment* convened by the Administrator in Washington, DC. The Summit brought together most of EPA's Senior Management and key leaders from small business, state agencies, several federal agencies, and other small business stakeholders to focus on developing a more collaborative relationship between regulators and small business owners. In her keynote address, the Administrator unveiled the Strategy, highlighted Agency small business efforts, and emphasized the Agency's strong commitment to helping small businesses.

The 2003 SBO/SBAP National Conference was hosted by the State of Maryland in Baltimore on April 13 - 16. The annual conference was outstanding and again provided participants a forum for sharing and learning ways to assist small businesses in dealing with their environmental responsibilities.

There's more! I encourage you to read through this issue of the *Update* to learn more about other significant EPA activities focusing on helping the Nation's small businesses succeed while also helping 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
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Senior Environmental Employees (SEEs):

Peggy Alexander	Senior Secretarial Support Staff	202-566-2811
Howard Boddie	Computer Specialist	202-566-2815
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Esther McCrary	Senior Secretarial Support Staff	202-566-2824
Tom Nakley	Civil Engineer, CWA, SDWA, Agriculture, General	202-566-2826
Larry Tessier	Civil Engineer, Asbestos, Radon, Lead	202-566-2829

Major Functions/Products:

- Serve as a port of entry for small businesses to EPA
- Advocate for small business regulatory issues and relief inside EPA
- Coordinate small business issues with program offices, regions, and states
- Focus on Asbestos regulatory requirements/handle questions and complaints
- Operate and maintain a Small Business hotline 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 coop. agreements to strengthen State Small Business Asst. Programs
- Sponsor Annual Small Business Regional Liaison Conference
- Develop guidance and policies for small businesses
- Resolve disputes between small businesses and EPA dealing with policies and regulations
- Distribute small business publications, regulations, guidance, and tools

Customers:

- Small Businesses/Small Business Trade Associations
- State Small Business Ombudsmen and Technical Assistance Programs
- EPA senior managers, media offices and agency staff, EPA regions and states offices
- Individual citizens
- EPA 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
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EPA SMALL BUSINESS STRATEGY IS FINAL!



On June 27, 2003 EPA Administrator Christine Todd Whitman signed the final *EPA Small Business Strategy*. This concluded a three-year process which involved all major EPA offices and regions, as well as states and other stakeholders. The public presentation of the Strategy by Administrator Whitman during the first *National Summit on Small Business and the Environment* on March 13, 2003 was attended by most EPA Senior Management, in an unprecedented show of support.

EPA's original Small Business Strategy was issued in 1984 and had not been revised/updated since then. Based on the Agency's focus at that time, the 1984 Strategy addressed regulatory and compliance issues. With the passage of time, the Agency's approach has transitioned into a consideration of less traditional (command and control) policies and has embraced the use of alternative means of achieving its mission of protecting the environment. Additionally, the role of the small business community relevant to the Agency's mission of protecting the environment, as well as to the US economy, has vastly increased commensurately with the number of small businesses, and that role has recently been widely recognized, as evidenced by President Bush's Executive Order 13272 issued on August 13, 2002 entitled "Proper Consideration of Small Entities in Agency Rulemaking."

On May 1, 2000, Deputy Administrator Mike McCabe directed the Small Business Division to update the Small Business Strategy. In fulfillment of that directive, the SBD drafted a revised Strategy and sought both internal and external input by meeting with many small business representatives and interviewing twenty EPA offices and Regions. This input was used to totally re-develop a Strategy outline that was vetted in Summer, 2002.

Again seeking agency-wide input, a cross-Agency Small Business Workgroup, led by the Small Business Division, was formed in late Fall of 2002, and a workgroup meeting was held on December 12, 2002. Shortly thereafter, based on interest expressed by various EPA offices, EPA Management decided to process the Strategy as a Regulatory Development Tier 2 level action and the Small Business Work Group was formalized. Feedback from workgroup members participating in the December 12th meeting and the previously-gathered input were formed into a draft Strategy which was released for internal review, culminating in a Final Agency Review approving public release of the draft Strategy.

EPA Administrator Christine Todd Whitman presented the Strategy during the first "National Summit on Small Business and the Environment" on March 13, 2003 in Washington, DC. The Summit was attended by high-level leaders of industry, state government, several federal agencies, EPA, and actual small business owners. A meeting with internal and external stakeholders was held following the Summit on March 14, 2003 to solicit additional input on the Strategy and to discuss the framework for the Strategy Implementation Plan. At the Summit, EPA announced it would accept comments on the Strategy until April 14, 2003 and actually accepted them through April 23.

Comments received after the Summit were considered and incorporated, as appropriate. A meeting of the Workgroup was held on May 21, 2003 to discuss the new final draft to be submitted for final agency action and to start developing the draft Strategy Implementation Plan. To ensure a more thorough thought process, subgroups will be established focusing on each of the key elements of the Strategy.

A Final Agency Review (FAR) meeting was held on June 19, 2003 to finalize the internal approval process of the final Strategy. The Strategy has been signed by Administrator Whitman and is expected to be issued in July. This action does not require publication in the Federal Register. The final Strategy will be widely disseminated via our nationwide network of trade associations and state partners. It is EPA's intent that the Small Business Strategy be a living document which will be reviewed at regular intervals and updated as needed.

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

**Remarks of Governor Christine Todd Whitman,
Administrator of the U.S. Environmental Protection Agency,
at the
National Summit on Small Business and the Environment
Washington, D.C.**



March 13, 2003

Good morning. I am pleased to welcome you to this National Summit on Small Business and the Environment.

I recently read something that George Herrera, the head of the U.S. Hispanic Chamber of Commerce said that I thought applies to the effort we are making at the EPA to build a new and improved partnership with America's small business community. He said, "As a small businessman myself, I've learned that, if you listen to your customers, they will tell you what they need to succeed."

Ladies and gentlemen, that's why we are here today and tomorrow to listen to you, to find out what you need to succeed, not just as businesses, but also as stewards of America's environment. For we all truly are environmental stewards. Every one of us shares the common value of caring about the condition of our natural environment – and a common responsibility to do our part. We all want to leave our environment cleaner than we found it. We owe that to our children and grandchildren.

When I became administrator of the EPA, I said my goal was to leave America's air cleaner, its water purer, and its land better protected. Over the past 30 years, since the advent of the modern environmental movement, we've done much to improve the quality of our air, water, and land. The days when children thought the sky was supposed to be brown and when rivers spontaneously combusted, are history.

But despite the progress we've made, there's more to be done. Our air, while cleaner, is not clean enough. Our water, while purer, is still not pure enough. And our land, while not as threatened as it once was, still needs protection. The most obvious problems have been tackled successfully. Now we are left with the more intractable challenges, the ones that defy easy solutions.

So to achieve this next generation of environmental progress – to address the challenges that remain unaddressed – we have to look for new ways of doing things. We need to cast a wider net, to refocus our efforts to include those who can help us bring smaller, incremental results that will collectively add up to major improvement. That's where you come in.

It is often said that small business is the backbone of America's economy. You employ more than half of our country's workforce. You create the majority of the nation's new jobs. You spark the engine of economic growth.

That's something I really came to appreciate when I was governor of New Jersey. Small business led the way to the largest, longest economic expansion in my state's history, and I never took them – or their needs – for granted.

But too often, the backbone of our economy has been twisted out of shape by government regulations that don't appreciate and understand the unique challenges you face and the contributions you make. It is time for a visit to the chiropractor. For EPA's part, that chiropractor comes in several forms which I want to share with you this morning.

The first is EPA's Small Business Strategy. EPA first developed such a strategy in 1984. Unfortunately, in the nearly 20 years that have passed since then, it hasn't been updated. Just think what that means. The strategy doesn't account for the existence of the Internet. It doesn't factor in such practices as just-in-time inventory. And it doesn't reflect the changed approaches we are taking at EPA to achieve the next generation of environmental progress.

So we have been working with many of you to update this strategy for the 21st century. We want our Small Business Strategy to reflect our commitment to better understand the ways you do business, so we can better do business with you.

That includes making sure that we improve the way we promote compliance with the Nation's environmental laws by making available simple, readable guides that don't require a team of lawyers to interpret. It also includes enhancing partnerships with the states by renewing our support for State Small Business Assistance Programs nationwide. In short, we will treat every small business owner as someone who shares our goals for environmental progress, unless proven otherwise.

Today, we are releasing the draft of our new strategy for your review and comment. I urge you to read it and share your views with us. We want to hear what you have to say.

I should also add that I am committed to ensuring that this strategy doesn't sit on a shelf somewhere gathering dust. It will be a living document, updated on a regular basis to ensure it always meets your needs in this fast-changing world.

The next action we are taking to help strengthen the backbone of our economy is the creation of a new office at EPA whose mission is to create and champion new approaches to achieving environmental excellence in cost-effective ways. This new office, our National Center for Environmental Innovation, will be lead by Jay Benforado, whom you heard from a few moments ago.

At the core of the work this office will do is our belief that environmental protection and economic prosperity can and should go hand in hand. It's not a zero-sum game, where the only way to improve the environment is by placing heavy burdens on the economy. In fact, the environment benefits from a strong economy and a solid commitment to cost-effective environmental policies.

This new office will complement the work of our Small Business Division, which we see as your gateway to the Agency. If you're not familiar with the work it does, let me give you a few highlights. Our toll-free small business hotline answers more than 1,000 calls a month from the small business community. Our twice-yearly newsletter provides updates on issues and resources of interest to small business. And our various publications, such as the new "Practical Guide to Environmental Management," give you some of the tools you need to be good environmental stewards.

In addition, our Small Business Division looks for creative, innovative ways to help promote good environmental management practices. For example, the EPA and the National Park Service have just agreed to work together with the hundreds of small business owners who operate concessions in our national parks.

We will be partnering to help them run their businesses in ways that respect the special environmental needs of the beautiful places in which they are located. We hope this collaboration will become a model for how government can promote responsible environmental management partnerships with the small businesses with which it contracts.

There's something else we will be doing to promote small business – and that's putting our money where our mouth is. Let me bring your attention to just three examples:

- Through our Small Business Innovation Research program, we will be making awards to small, high-tech firms to help develop cutting-edge environmental technologies;
- Through our Design for the Environment program, we will help small businesses become more competitive by reducing their environmental and worker health risks through the development of cleaner technologies in the workplace; and,
- Through our procurement practices, we hope to promote the manufacture of “green products” by purchasing them from small businesses when possible.

In addition, we are establishing an incentive awards program to recognize proven environmental leaders in the small business community, which you will hear more about later. I look forward to participating in the first awards ceremony next year – and I hope to see many of you there.

Taken together, the actions we are advancing at EPA are designed to ensure that we are doing all we can to support you – the backbone of our economy – and to work with you to achieve the next generation of environmental progress. I have touched on just a few of our efforts here this morning. As the day progresses, you will hear about many more. But as I said at the outset, we are also here to listen to you.

As I have traveled around the country – having visited more than 40 states and scores of cities – I have had the chance to visit numerous small businesses. They truly are the laboratories of our economy, the places where timeless dreams and timely new ideas come together to drive the engine of progress. Again and again I have been amazed and impressed by the energy, creativity, and commitment of America's small business entrepreneurs.

We want to use that energy, that creativity, and that commitment to help make America's air cleaner, its water purer, and its land better protected for all those who will follow us. All of you here today are creators. Let's work together to create the next generation of environmental progress, to leave America cleaner and healthier than we found her.

Thank you.



MEMORANDUM OF UNDERSTANDING



BETWEEN THE
NATIONAL PARK SERVICE
CONCESSION ENVIRONMENTAL MANAGEMENT PROGRAM
AND THE
ENVIRONMENTAL PROTECTION AGENCY
NATIONAL CENTER FOR ENVIRONMENTAL INNOVATION



On March 13, 2003, the National Park Service (NPS) and the United States Environmental Protection Agency (EPA) signed a Memorandum of Understanding (MOU) that established a partnership to share resources in promoting environmental management system approaches that are good for both the environment and business. The MOU promotes the implementation of cost-effective environmental management practices for approximately 600 NPS concessioners that deliver various visitor services in more than 130 national parks.

EPA has formed an internal workgroup for the MOU that is comprised of representatives throughout the Agency, including the Office of Prevention, Pesticides, and Toxic Substances; the Office of Water; the Office of Solid Waste and Emergency Response; and the National Center for Environmental Innovation. This provides a cross-Agency knowledge base for the National Park Service to tap into in developing innovative approaches for use with the NPS Concession Program. Projects developed under the MOU are designed to assist National Park Service concessioners to develop and implement Environmental Management Systems which are required under most new concession contracts with the NPS. In addition, particular focus will be given to the special needs and issues of small business during the development of training and guidance materials and in identifying appropriate and applicable Best Management Practices. Assisting the businesses that provide visitor services in national parks provides both organizations the opportunity to demonstrate that environmental management can help protect and preserve America's natural treasures.

Possible approaches and ideas that are being examined include:

- Identifying Environmental Best Management Practices (BMPs) for key concession services including, but not limited to such services as Marinas; Lodging; Food and Beverage; Horse, Livery, and Stable Operations; Transportation; and Retail;
- Assisting NPS in developing Environmental Management Systems (EMS) for key concession services;
- Providing EMS implementation assistance and training to concessioners;
- Promoting environmentally preferable purchasing; and
- Providing resources and training to increase environmental awareness amongst concessioners.

If you would like additional information regarding the MOU, please contact **Eileen Mayer** at 202-566-2812 or mayer.eileen@epa.gov.

H.R. 327: Small Business Paperwork Relief Act of 2002 (SBPRA)

This Act amends the Paperwork Reduction Act, to specifically address the needs and concerns of small businesses, focusing on reducing the information collection burden for small businesses with fewer than 25 employees. Under the Act, each federal agency is required to establish a single Point of Contact to act as liaison between the agency and small businesses. The liaison will collect information and control paperwork regarding the concerns of small businesses, as defined by the Small Business Act, regarding Information Collection Requests (ICRs). As required by the Act, in June of 2003 EPA Administrator Governor Christine Todd Whitman designated **Karen V. Brown**, current EPA Small Business and Asbestos Ombudsman and Director of EPA's Small Business Division, as EPA's Point of Contact with respect to the SBPRA.

The Act also requires the establishment of a cross-agency task force to investigate ways to streamline information collection and dissemination procedures for small businesses, and to coordinate implementation of various requirements of the Act. The Task Force, which is led by the White House Office of Management and Budget (OMB), was created and cross-agency subgroups were established to address specific Act requirements. EPA is represented both on the core cross-agency Task Force and on the various cross-agency subgroups. The Task Force and Subgroups include representation from fourteen cabinet-level departments and thirty-three non-cabinet-level agencies, including EPA. The Task Force has just submitted a required 2003 report on its findings, and is required to submit its final report in 2004.

One of the Task Force subgroups was assigned to explore the advisability of compiling and publishing a list of compliance assistance resources available to small businesses. After much careful consideration, this subgroup concluded that available resources were not sufficiently clear, developed the list, and recommended that the list be published.

On June 27, 2003, OMB published in the *Federal Register* the list of "Compliance Assistance Resources and Points of Contact Available to Small Businesses." That list appears on pages 38526-38556 of that *Federal Register*. To access the list, visit any of the websites listed below:

- http://www.whitehouse.gov/omb/fedreg/062703_compliance_assistance.pdf
- http://www.smallbiz-enviroweb.org/sba/sbptra2002_eparesources.html
- <http://www.sba.gov/ombudsman/compliance/complianceassist.html>

In addition to the Task Force reports listed above, the Act mandates EPA to submit two enforcement action reports. These reports will compare the number of small entities EPA fined over a one-year period with the number of all other entities fined. The reports will also mention whether or not the fine was reduced or waived. Record-keeping for the initial report began on October 1, 2002, and the report is due on December 31, 2003; record-keeping for the final report will begin on October 1, 2003. The final report is due on December 31, 2004. See Item A-19. For Further Information Contact **Karen V. Brown** at: 202-566-2816. Email: brown.karen@epa.gov

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 Daniel Eddinger at
1-202-566-2820

NATIONAL COMPLIANCE ADVISORY PANEL

RECENT ACTIVITIES



The National Compliance Advisory Panel (NCAP) has had a busy year trying to support the state SBAPs and CAPs.

On February 26-27, 2003, NCAP members met with congressional representatives and/or their staffs in Washington, DC. The intent of the NCAP in conducting these meetings was to increase awareness of the SBO/SBAP by high-ranking members of Congress and their staffs; to introduce to them representatives of the US small business community who strongly support and can attest to the benefits provided by the state SBOs/SBAPs; and to provide specific examples of direct assistance.

NCAP members agreed to focus their visits on high-ranking leaders of both the House and the Senate, as well as members of the various committees involved in small business issues. A total of 42 congressional offices were visited, of which 20 were Senate Offices and 22 were House of Representatives Offices. Of the 42 offices visited, meetings were held with three Senators, one Representative, and 38 Staff. Each congressional office counted as one, although in most cases visits involved more than one staff person per office. Congressional leadership offices visited included top Senate and House leadership; staff of Olympia Snow, Chair, Senate Committee on Small Business & Entrepreneurship; and staff of Congressman Donald Manzullo, Chair, House Small Business Committee.

During the visits, NCAP members learned that both Small Business Committee Chair Offices were aware of the SBAPs; however, most other congressional staff were unaware of the SBAPs. All Senators and Representatives, as well as all congressional staff visited, expressed interest in the program and in receiving more information.

NCAP members intend to regularly provide current information and to maintain open communication with these congressional offices. Members feel that this Congressional Outreach effort was extremely successful and that it significantly raised awareness of the state SBAPs, as well as provided the vehicle for establishing a direct line between actual small business owners and Congress.

The NCAP was also very involved in developing and presenting the **2003 Annual CAP Training** session held on **Sunday, April 13 in Baltimore, Maryland**, again in conjunction with the Annual SBO/SBAP National Conference. Twenty-eight participants, of which fifteen were state CAP members, heard fellow-CAP members discuss many topics of interest, including "The Power of the CAP," "My Experience with the SBAP," an interactive "Thinking Together" session addressing four key areas of concern to state CAPs, and a "mock" CAP meeting.

Participants received an updated comprehensive Resource Guide including current tools and resources available to state CAP members to enable them to better help small businesses in their respective states. Copies of the Resource Guide may be obtained from EPA's Small Business Division.

Evaluations submitted by participants upon completion of the training session were overwhelming favorable and indicated a strong preference for interactive exercises or audience participation. Previous attendees considered this session better than previous sessions in organization, materials provided, and participation. The agenda for the annual CAP Training is developed in a collaborative effort between the NCAP and EPA's Small Business Division, with various members of the NCAP participating as presenters. For further information contact: **Elsa Bishop** at 202-566-2814

UPCOMING EVENTS

(SAVE THESE DATES AND MARK YOUR CALENDARS)

August 6, 2003 - August 8, 2003

*Summer Great Lakes Regional Pollution Prevention Roundtable Conference
Erie, Pennsylvania*

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

Web Site: www.glrppr.org/erie2003/ E-mail: djacobso@wmrc.uiuc.edu

August 10, 2003 - August 12, 2003

*2003 Environmental Council of the States (ECOS) Annual Meeting
Salt Lake City, Utah*

Contact Info: Carolyn Sistare, 202-624-3660

Web Site: www.sso.org/ecos/ E-mail: csistare@sso.org

August 11, 2003 - August 14, 2003

*Clean '03
Las Vegas, Nevada*

Contact Info: Riddle & Associates at 404-876-1988.

Web Site: www.cleanshow.com E-mail: info@cleanshow.com

August 12, 2003 - August 15, 2003

*2003 RCRA National Meeting
Washington, DC*

Web Site: www.awma.org and click on the "2003 RCRA National Meeting"

September 8, 2003 - September 10, 2003

*1st Annual Virginia Manufacturers Association (VMA) Manufacturing Industry Environmental
Conference
Richmond, Virginia*

Web Site: www.vamanufacturers.com/conf108.php

September 30, 2003 - October 4, 2003

*2003 Association of Small Business Development Centers (SBDC) Annual Conference
San Diego, California*

Web Site: www.asbdc-us.org/

October 27, 2003 - October 29, 2003

*Brownfields 2003: Growing a Greener America
Portland, Oregon*

Web Site: www.brownfields2003.org E-mail: bmitchell@ICMA.org

**CHECK FOR SPECIFIC INDUSTRY TRADE ASSOCIATION MEETINGS AND CONFERENCES AT:
<http://www.smallbiz.enviroweb.org/events/allevents.asp>**

Small Business Environmental Home Page

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

The Small Business Environmental Home Page (Home Page) continues to benefit the small business community and Section 507 programs. This Home Page was developed and is being maintained by *Concurrent Technologies Corporation (CTC)* (Pittsburgh Office) under cooperative agreement funding provided by U.S. EPA Small Business Division/Small Business Ombudsman's Office. Developed in response to requests from the State small business assistance programs (SBAPs) and the small business community for assistance in centrally distributing and exchanging information about their program activities, the Home Page provides efficient access to EPA, state, and other environmental and pollution prevention information focused on small business. Updates since January 2003 are described below.

NEW on the Home Page is the **Surveys** area, a button on the bottom blue bar of the top page that links to all online surveys and results. Go to: www.smallbiz-enviroweb.org/sba/survey/survey_list.html. Thanks to all programs that participated in the SBAP/Multimedia and Financial Assistance Program Surveys conducted this spring. The results are now posted on line in searchable databases (click on the Surveys button).

- The **SBAP/Multimedia Survey** was conducted to facilitate information sharing between programs nationwide. The Multimedia Subcommittee of the SBO/SBAP National Steering Committee developed the multimedia questions on the survey.
- The **Financial Assistance Program Survey** was developed in cooperation with the National Small Business Financial Assistance Work Group (NSBFAWG) to assist with collecting and disseminating information to help improve existing financial assistance programs and start new programs successfully.
- Check back often; as additional programs fill out surveys and as programs update information, the responses and statistics in the databases will be updated. If your program didn't fill out one of these surveys, please go ahead and fill out the form(s) now.
- Finally, look for a request to fill out a **NEW Guidelines Survey** on line! This survey, developed by the Guidelines Subcommittee of the National Steering Committee and *CTC*, is being conducted to develop a consensus regarding the usability of the Clean Air Act 507 Guidelines that were originally created by EPA. The overall statistics of this survey will be posted on the Home Page; no specific state program information will be shared.

NEW National Steering Committee subcommittee web pages have been launched. Currently on line are Multimedia and Technical Subcommittee web pages. Technology, Guidelines, and Awards Subcommittee web pages are coming soon. To access all subcommittee pages, go to: www.smallbiz-enviroweb.org/sba/steering_subcommittees.htm.

The Technology Subcommittee of the National Steering Committee is currently working with *CTC* to develop a **NEW** web page devoted to **Air Pollution Control Technologies** for small business. If you have any information/helpful links, please forward to Audrey Zelanko via email.

Don't forget to use the Home Page often for the **continually updated information** at your fingertips: news and events, contact information, funding links and information, environmental compliance tools and regulatory updates, pollution prevention and ISO 14000 information, industry sector resources, and small business assistance resources (e.g., small business initiatives and policies, agency links, National Steering Committee and CAP information, CAP/SBAP national logos, SBTCP Reports, conference presentations, small business web sites, publications, videos, performance measurement tools, Mid-Atlantic Region Small Business Assistance web page, Listserve).

Send information, questions, and comments to: **Audrey G. Zelanko** at zelanko@smallbiz-enviroweb.org, 412/575-2649.



Small Business Environmental Home Page

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

www.smallbiz-enviroweb.org



Please send comments, suggestions, and information to Audrey Zelanko at: zelanko@smallbiz-enviroweb.org.

Created April 2003

Helping Small Businesses Access Environmental Compliance and Pollution Prevention Information

Small Business Assistance

An overview of the state small business assistance programs (SBAPs), web site links, and a list of small business assistance providers are included. Also provided are information and links to small business initiatives/policies/laws, small business ombudsman (SBO)/SBAP National Steering Committee information, national and state compliance advisory panel (CAP) information, SBAP national logo, the State Small Business Stationary Source Technical and Environmental Assistance Program (SBTCP) Reports to Congress, ten state demonstration projects, SBO/SBAP conference presentations and photographs, online survey results, and other helpful small business web sites and documents.



Contacts

Contact information is provided for EPA SBO, EPA regions and small business liaisons, EPA headquarters and regional SBAPs, EPA small business leads, OSHA regional and area offices, state SBAPs, SBAP/SBO national steering committee members, national and state CAP members, trade association representatives, and key members of the small business community.

Environmental Compliance and Pollution Prevention

A *regulatory updates database* allows you to search by environmental law, month, year, keyword, or any combination for compliance issues focused on small business. Also included are: brief summaries of major federal environmental laws and applicable EPA links, calendar for reporting deadlines and summaries of environmental reporting requirements, checklist for reporting and recordkeeping requirements, links to state environmental agencies and SBAPs, expert systems for Class V motor vehicle wells and auto dismantlers/recyclers, and links to helpful regulatory search/compliance links and guidance documents. Also included are links to pollution prevention, ISO 14000, and recycling waste exchange web sites.



Performance Measurement



A *performance measurement tools and success stories database* provides downloadable tools and case studies from states, EPA, and other sources. Also available is EPA's *Guide for Measuring Compliance Assistance Outcomes*.

Publications and Videos



A *publications database* provides brief summaries and direct access to online factsheets, guides, and other publications on a variety of environmental and small business assistance topics. Also provided are direct links to documents on the *EPA SBO list of publications and selected small business publications*.



News and Events

An *upcoming events database* provides a calendar of major events. Also featured is a place to share news. Links to state newsletters, EPA SBO Update Newsletters, and Small Business Quarterly News Alerts are included.



The Small Business Environmental Home Page provides access to environmental compliance and pollution prevention information for small businesses, state small business assistance programs, trade associations, and other technical assistance programs.



We need your comments and suggestions to make the Small Business Environmental Home Page your premier internet location for small business environmental information. Please send your comments, suggestions, and updates to Audrey Zelanko to keep the Home Page up to date and in line with your internet resource needs.

Databases

Databases on the Home Page include: upcoming events, publications, videos, regulatory updates, and performance measurement tools. Two databases have been recently added to share information from two surveys—one providing general information on the SBAP programs and multimedia issues, and the other focusing on financial assistance.



Industry Sectors

Links by industry sector are provided. Also included in this section are links to Compliance Assistance Centers, trade associations, and other helpful sites.

How Much is the Home Page Used? (4th Quarter 2002)

- ◆ 91,167 successful hits
- ◆ 12,939 user sessions
- ◆ 7,124 unique users
- ◆ 990 average number of hits per day
- ◆ 140 average number of user sessions per day
- ◆ Top 5 most popular pages—State Financial Assistance Programs, Links to State Agencies, SBAP List of Contacts, Trade Associations, Small Business Assistance Home

**User statistics using "Web Trends" software*



Funding Help

The Home Page links to a definition of 'small business,' state financial assistance programs, and federal and nonprofit financial assistance programs.

Special Features of the Home Page

National Small Business Financial Assistance Work Group (NSBFAWG) web site

This web site is home to the NSBFAWG, which was created to respond to small business needs for financial assistance from the government. A "cafeteria plan" of financial assistance is outlined on the site, as well as how to start a program, success stories, recent NSBFAWG activities, and contacts. An online survey of programs has been conducted and results have been posted.

SBO-SBAP Listserve

The list provides a forum for the small business community to exchange ideas and share information on environmental compliance and pollution prevention issues. The list is open to SBOs, SBAPs, small businesses, trade associations, technical assistance programs, educators, researchers, and other interested individuals. Share information, ask questions, and post replies to the list. There are currently over 160 subscribers.

Mid-Atlantic Region Small Business Assistance web site

Funded by EPA Region III, this site provides links to technical assistance, cost reduction and energy conservation, environmental technology development, and funding resources for small businesses and assistance providers in Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.



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EPA CREATES NATIONAL CENTER FOR ENVIRONMENTAL INNOVATION

-- A Testing Ground for Innovative Ideas that Advance Environmental Protection --

On June 23, EPA Administrator Christine Todd Whitman announced the official opening of the National Center for Environmental Innovation (NCEI). With its unique focus and multi-media perspective, NCEI will provide a testing ground for innovative ideas that advance environmental protection; assist EPA's national programs and regions in adopting innovative approaches; and support improved environmental performance in businesses, communities, and State, local, and tribal governments.

The Center, which is led by Jay Benforado who serves as its Director, is housed within the Office of Policy, Economics and Innovation, and is comprised of the Office of Business and Community Innovation and the Office of Environmental Policy Innovation. A new brochure describing the Center, depicted in this article, has been developed and is currently available.

The Center's work will span a wide range of programs and projects that bridge traditional organizational and media boundaries and facilitate development of integrated environmental management strategies. Some immediate priorities include strengthening partnerships with eight new industry sectors that have agreed to work with EPA to improve environmental performance, creating new incentives that will enhance membership in the National Environmental Performance Track program, completing EPA's Small Business Strategy, supporting the national Smart Growth Network, working with States and external partners on innovative pilot projects, and promoting EPA's new Public Involvement Policy.

NCEI is working to bring about the next generation of environmental protection - one that focuses more on results and less on process; emphasizes environmental protection, not just pollution control; and takes a comprehensive rather than piecemeal approach to problem-solving. This environmental protection system NCEI envisions – and is working toward – will use more market-based incentives that link environmental and economic objectives. It will also provide better information and meaningful opportunities for public involvement in decision-making.

The creation of the NCEI is the latest in a series of actions EPA has taken to advance innovative approaches for improving environmental results. Last Spring, EPA released a comprehensive strategy to drive innovation in its programs and policies. Other recent actions include establishing a new State Innovation grant fund and co-sponsoring the 2nd State-EPA Environmental Innovation Symposium, which brought together nearly 300 people to discuss innovations shaping the next generation of environmental policy.

For more information, contact:

National Center for Environmental Innovation

U.S. EPA
Mail Code 1808
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
202/566-2119
<http://www.epa.gov/innovation>



EPA's **Sector Strategies Program** seeks industry-wide environmental gains through innovative actions taken with a number of manufacturing and service sectors. The Office of Policy, Economics and Innovation (OPEI) works with select trade associations, EPA programs and regions, states, and other groups to find sensible solutions to sector-specific problems.

OPEI staff members serve as **sector points-of-contact**. They develop expertise in the operations and issues of each industry. They assess opportunities to improve environmental performance while reducing regulatory burden. They connect with the right individuals to plan and implement initiatives for each sector.

The program focuses on three priority areas:

- **Promoting environmental management systems.** Sector teams work with trade associations to develop and implement a plan for delivering needed outreach, training resources, and support to build a 'business case' for EMS.
- **Overcoming regulatory or other barriers to performance improvement.** Sector teams address the most significant impediments to better industry-wide performance. Each sector point-of-contact also can serve as a liaison between trade associations and assistance providers in EPA and states.
- **Performance measurement.** Sector teams explore creative ways to measure and report industry-wide environmental and economic progress using performance indicators, success stories, and other tools.

OPEI has selected eight partner sectors for the Sector Strategies Program in 2003: ***Agribusiness, Cement Manufacturing, Colleges & Universities, Construction, Forest Products, Iron & Steel Manufacturing, Paints & Coatings, and Ports.***

OPEI will maintain points-of-contact for several sectors with which it has ongoing projects: Metal Casting, Metal Finishing, Shipbuilding & Ship Repair, and Specialty-Batch Chemical Manufacturing.

For more information, contact **Bob Benson**, Director of the Sector Strategies Division, at 202-566-2954, or via e-mail at benson.robert@epa.gov.

Administrator Whitman Welcomes Trade Groups into New Sectors Program

On June 2nd, EPA Administrator Whitman spoke to representatives of 24 trade associations, representing twelve manufacturing and service sectors, that have joined with EPA in a new Sector Strategies partnership program.

Sector Strategies is designed to improve environmental performance as well as reduce the burden of regulation. Small businesses benefit by getting a stronger voice in EPA decisions. EPA and state regulators benefit by getting better cooperation, support, and problem-solving ideas from participating industries.

Each sector has a “point-of-contact” in EPA’s Office of Policy, Economics and Innovation. S/he is familiar with the environmental operations and concerns of businesses in the industry and the EPA programs that affect them. The point-of-contact brings industry and government experts together to listen and learn from each other and take joint actions to (1) expand the use of environmental management systems, (2) overcome government-imposed obstacles to better environmental performance, and (3) measure results.

Administrator Whitman thanked the industry partners “for your leadership and willingness to be a part of this innovative program. Through your efforts, you are not only setting an important example within your own sectors, but for the business community as a whole.”

If your business is in one of the current sectors and you would like to participate, contact your trade association (see box at right). If you want to find out more about EPA’s Sector Strategies program, visit our web site at www.epa.gov/sectors.

Sector Strategies Program Partners

Agribusiness

- National Food Processors Association
- American Meat Institute
- American Association of Meat Processors

Cement Manufacturing

- Portland Cement Association

Colleges and Universities

- American Council on Education
- Association of Higher Education Facilities Officers
- Campus Consortium for Environmental Excellence
- Campus Safety, Health and Environmental Management Association
- Howard Hughes Medical Institute
- National Association of College and University Business Officers

Construction

- Associated General Contractors of America

Forest Products

- American Forest and Paper Association

Iron and Steel Manufacturing

- American Iron and Steel Institute
- Steel Manufacturers Association

Metal Casting

- American Foundry Society
- North American Die Casting Association

Metal Finishing

- American Electroplaters and Surface Finishers Society
- National Association of Metal Finishers
- Metal Finishing Suppliers Association

Paint and Coatings

- National Paint and Coatings Association

Ports

- American Association of Port Authorities

Shipbuilding & Ship Repair

- American Shipbuilding Association
- Shipbuilders Council of America

Specialty—Batch Chemicals

- Synthetic Organic Chemical Manufacturers Association

For Further Information Contact: **Peter Truitt** at: 202-566-2970

EPA's National Environmental Performance Track Program Continues to Add New Members

Launched in mid-2000, EPA's National Environmental Performance Track program provides recognition and incentives to top environmental performers. It is open to facilities of all types, sizes, and complexity; public or private; manufacturing or service-oriented. Current membership totals 301 facilities. Facilities are selected based on their systematic approach to environmental management, commitments to continuous improvement, a sound compliance history, and a willingness to reach out to the community. Of the current membership, approximately 8% have fewer than 50 employees, 10% have 50-99 employees, and 34% have 100-499 employees. Additional information on the program, including application materials, can be found at www.epa.gov/performance-track or by calling 1-888-339-PTRK

To help build the capacity of small businesses who might be interested in joining the Performance Track Program, EPA is engaged in the Performance Track Assistance Project (PTAP). Under PTAP, EPA is working with a number of small business trade associations and other stakeholders to provide assistance to those that would like to participate in Performance Track but are presently unable to meet the requirements. The effort addressing the four pillars of Performance Track: environmental management systems (EMSs), continuous improvement, community outreach, and sustained compliance.

To date, PTAP has focused on helping trade associations work with their members to develop "better than compliance" environmental management systems (EMSs) that will meet the requirements of the Performance Track program as well as help members reduce costs, increase competitiveness, and protect the environment. This effort includes EPA representatives from the Small Business Office, the Compliance Assistance Program, the Design for the Environment Program, the Sustainable Industries Program and Performance Track. As a part of this effort, we are:

- ▶ developing the *Pathfinder* CD that will provide trade associations with ready access to the information they need to develop sector-specific EMS guidance for their members;
- ▶ working with a number of trade associations to review their EMS guidance and help them improve their guidance as needed;
- ▶ developing EMS materials useful to trade associations for engaging their members in developing EMSs; and
- ▶ revising the existing EPA EMS web page at www.epa.gov/ems to better reflect current EPA EMS activities.

For additional information on PTAP, contact **Tim Stuart**, ph. 202-566-2946, e-mail: stuart.tim@epa.gov.

The Environmental Results Program Innovative Permitting Options/Self Certification

Small businesses want to do the “right thing” environmentally. Environmental regulators want to improve the environmental performance of large numbers of small sources. How can environmental compliance be more closely linked with regulatory requirements and performance measurement? The Environmental Results Program (ERP) offers one approach toward addressing these seemingly incompatible environmental issues.

In 1997, the Massachusetts Department of Environmental Protection (MA DEP) established ERP 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. MA DEP applied ERP to three small business sectors — printers, photo processors, and dry cleaners — nearly 2,300 facilities that today are achieving more than 95 percent environmental compliance. In 1996, before ERP started, less than 10 percent of the affected Massachusetts dry cleaners were even known to MA DEP. As a result of a MA DEP/EPA partnership formed in late 2000, ERP applications across state agencies has grown substantially. Today, nearly 10 States, plus the District of Columbia, have joined MA DEP in conducting or planning to conduct ERP projects across 8 business sectors. According to the National Academy of Public Administration, MA DEP achieved two remarkable breakthroughs with ERP:

“It expanded the universe of small businesses...on record with the state’s regulatory system and it created a powerful incentive for the small business owner/operators to take personal responsibility for complying with environmental regulations.”¹

ERP employs three linked tools – plain language compliance assistance workbooks and workshops, periodic self-evaluation and certification of compliance status, and inspections and performance measurement. ERP is a “data rich” management information system. It provides regulators the information they need to most effectively focus limited compliance assistance, inspection and enforcement resources, as necessary, on those issues and facilities that are under-performing. For small business owner/operators, ERP can reduce annual compliance fees, provide “one-stop” (i.e., multi-media) shopping for environmental requirements, introduce pollution prevention and best management practices, and allow regulatory flexibility.

Several states are applying ERP to common business sectors. This allows states to share planning and implementation experience as well as reduce the cost of creating ERP materials. Some states also are conducting ERP projects in multiple sectors. Rhode Island, Maryland, Florida, Delaware, and the District of Columbia are applying ERP to the auto repair/auto body sector. Likewise, Tennessee, Rhode Island, New Jersey, and Georgia are conducting or planning to conduct ERP projects for underground storage tank owner/operators. Another business sector that has attracted multi-state interest is the auto recycling sector – Florida, Maine, New Hampshire, and Vermont are discussing ERP applications in this sector as well.

Various ERP communication materials are available on the EPA and several state websites — see the EPA site: www.epa.gov/permits , the MA DEP site www.state.ma.us/dep/erp , the Florida site www.dep.st.fl.us/waste/categories/hazardous/pages/autocert/htm , and the Rhode Island site www.state.ri.us/dem/programs . For Further Information Contact **Greg Ondich** at: 202-566-2215

¹ “Environment.gov: Transforming Environmental Protection for the 21st Century,” The National Academy of Public Administration, November 2000, Washington, DC. P. 34. See www.napawash.org

EPA's "Draft Report on the Environment" Now Publicly Available for Review and Comment

On June 23, 2002, EPA Administrator Christie Whitman announced that EPA's "Draft Report on the Environment" was publicly released for review and comment. The "Draft Report" is an unprecedented effort by the Agency to present the first-ever national picture of U.S. environmental quality and human health. Administrator Whitman commissioned the "Draft Report" in November 2001. "This 'Draft Report on the Environment' documents real gains in providing a cleaner, healthier and safer environment," said Administrator Whitman. "More importantly, it begins a national dialogue on how we can improve our ability to assess the nation's environmental quality and human health, and how we can use that knowledge to make improvements. Using the most sophisticated science ever, we have developed a comprehensive roadmap to ensure that all Americans have cleaner air, purer water and better-protected land. This 'Draft Report' is an important tool that will be useful for generations to come."

The "Draft Report" uses available scientific data, gathered from more than 30 other federal agencies, departments, states, tribes and non-governmental organizations, to answer questions that the EPA and collaborators have identified as indicators of the nation's environmental quality and human health. It establishes scientific, consensus-based benchmarks to measure EPA's progress. This is the first time that EPA has developed a comprehensive report about the nation's environment and human health conditions. It will be used as a baseline for future evaluations. The "Draft Report" shows that:

- Our air is cleaner. Air pollution has declined 25% over the past 30 years, and it declined while we experienced large increases in the U.S. population, gross domestic product and vehicle miles traveled.
- Our drinking water is purer. In 2002, 94-percent of Americans were served by drinking water systems that meet our health-based standards – an increase of 15-percent in the last decade.
- Our land is better-protected. Releases of toxic chemicals have declined by 48% since 1988, and we have significantly improved the way we manage our wastes.
- The health of the American public is generally good and improving. People are living longer than ever before. Infant mortality has dropped to the lowest level ever recorded in the United States.
- The report illustrates, however, that more must be done. For example, despite these substantial improvements, more than 133-million Americans live in areas that at times have unhealthy air.
- The "Draft Report" also noted the need for additional data to answer questions about the links between some environmental pollutants and health effects.

From examples such as these, EPA is identifying areas to improve research and data collection and strengthen data partnerships with other federal agencies, states, tribes, and others. EPA is also starting to plan a series of national dialogue meetings to be convened later this fall.

Copies of the “Report” (and accompanying “Technical Document”) may be downloaded from EPA’s “Environmental Indicators Initiative” Web site: www.epa.gov/indicators. Printed copies may also be ordered by visiting the “Contact Us” page of the “Indicators Web site” or by calling EPA’s National Service Center for Environmental Publications (NSCEP) toll-free, hot line at 1-800-490-9198. Anyone wishing to comment on the “Draft Report” should visit the “Indicators Web site” and link to the new E-DOCKET that has been created to receive and compile comments on the “Draft Report”. This new E-DOCKET enables commenters to review the comments that others are making about the “Draft Report”.

2001 Toxics Release Inventory (TRI) Data Are Now Publicly Available

On Monday, June 30, 2003, EPA released the 2001 TRI data, in both electronic and printed formats. The 2001 TRI data summary information and data access are available via the Internet at <http://www.epa.gov/tri/tridata/tri01>. The 2001 TRI Data Release Web site provides fast and easy access to a data overview and relevant TRI information (including tables, charts, maps, and press materials). The TRI data may also be accessed using EPA’s “*TRI Explorer*” (<http://www.epa.gov/triexplorer>) as well as several other public access tools available on the TRI web site.

EPA also released two electronic publications summarizing the 2001 data: the “2001 TRI Public Data Release (PDR) Report” and the “2001 State Fact Sheets”. The “2001 TRI PDR Report” (EPA 260-R-03-001) provides:

- an overview of the 2001 TRI reporting year data including detailed analyses and supporting tables for TRI releases and other waste management activities;
- an overview of the persistent bio-accumulative toxic (PBT) chemicals reported to TRI for the second time in the 2001 reporting year;
- an analyses of the geographic distribution of TRI releases and other waste management activities;
- and other information relating to TRI data.

The “TRI PDR Report” serves as a companion volume to EPA's “2001 TRI State Fact Sheets” (EPA 260-F-03-002). The “State Fact Sheets” provide:

- a general overview of TRI and the 2001 TRI data by state; a description of the information included in the state fact sheet; and data summary tables. EPA provides this type of analysis as a snapshot of each state's releases and other waste management activities. Electronic copies of these publications are available via the Internet at <http://www.epa.gov/tri/tridata/tri01>.

The 2000 and 1999 TRI Data are also publicly available via the Internet and in print publications. See EPA’s “TRI Web site” at: <http://www.epa.gov/tri> for further information. Copies of these documents may also be obtained by calling (202) 564-9554 or by e-mailing TRIDOCES@epa.gov.



Clear Skies Act of 2003 Fact Sheet

Cleaner Air, Better Health, Brighter Future

Clear Skies is a mandatory program that would dramatically reduce and cap emissions of sulfur dioxide (SO₂), nitrogen oxides (NO_x), and mercury from electric power generation to approximately 70% below 2000 levels.

Passing Clear Skies legislation this year would provide immediate health benefits since Clear Skies provides incentives for power plants to reduce emissions early.

Clear Skies would provide health benefits faster, with more certainty, and at less cost to America's consumers, than would the current Clean Air Act.

Nationwide, Clear Skies would deliver unprecedented emissions reductions from the power sector without significantly affecting electricity prices for consumers. Clear Skies delivers certainty and efficiency, achieving environmental protection while supporting economic growth and maintaining fuel diversity.

The mandatory emission limits (or "caps") and trading program builds upon the Clean Air Act to facilitate achievement of critical human health and environmental goals. Clear Skies will enable many state and local governments to meet national standards for fine particles and ozone.

Components of the Clear Skies Act of 2003

- Establishes federally enforceable emissions caps for all three pollutants.
 - Clear Skies' NO_x and SO₂ requirements affect all fossil fuel-fired electric generators greater than 25 megawatts (MW) that sell electricity. Mercury requirements affect only the subset of these units that are coal-fired.
- Uses a dynamic regulatory approach – emission caps and trading – that provides power plants with flexibility to reduce emissions in the least costly way.
- Maintains the authority of state and local government to set source-specific emissions limits for sources within their borders to ensure that ambient air quality standards are met.

	Actual Emissions in 2000	Clear Skies Emissions Caps		Total Reduction at Full Implementation
		First Phase of Reductions	Second Phase of Reductions	
SO₂	11.2 million tons	4.5 million tons in 2010*	3 million tons in 2018*	73%
NO_x**	5.1 million tons	2.1 million tons in 2008*	1.7 million tons in 2018*	67%
Mercury	48 tons	26 tons in 2010	15 tons in 2018*	69%

* Because sources can reduce emissions early, earn allowances for those actions, and use those allowances later, actual emission levels may be higher than the cap in the first years of these phases. Further, the Clear Skies Act contains "safety valve" provisions for NO_x, SO₂, and mercury to limit the marginal costs of removal of each of the three pollutants if costs exceed a certain threshold. The 2003 modeling, based on current technological capabilities, shows that the cost of mercury removal is expected to exceed the safety valve threshold. However, technological improvements could decrease the cost of mercury control over time and cause prices to remain below safety valve levels.

**The NO_x cap is divided between two zones with separate trading programs. Zone 1 includes the 31 eastern states in the continental U.S. and eastern Texas. The emissions cap for Zone 1 is 1.58 million tons in 2008 and 1.16 million tons in 2018. Zone 2 includes the remaining states participating in the WRAP process as well as Nebraska, Kansas, Oklahoma, and some of Western Texas. The Zone 2 cap is 538,000 tons in both phases.

Clear Skies Provides Dramatic Benefits for Public Health

- Clear Skies would deliver benefits to human health and the environment with its passage. Human health benefits that EPA can quantify grow to approximately \$110 billion per year by 2020, substantially outweighing the annual costs of \$6.3 billion.
- EPA projects that by 2020, the annual public health benefits from Clear Skies would include more than 14,000 avoided premature deaths. An alternative methodology for calculating health-related benefits projects over 8,400 premature deaths prevented and \$21 billion in health benefits - still far greater than the costs.
- By 2020, Americans would also experience approximately 30,000 fewer visits to the hospital and emergency room, and 12.5 million fewer days with respiratory illnesses and symptoms, (including work loss days and school absences) each year under Clear Skies.
- Under Clear Skies, more than 18 million additional people would be breathing air that meets the national ozone and fine particle standards in 2020.
 - In the remaining counties, Clear Skies would achieve additional reductions in fine particles and ozone that would further protect human health.

Clear Skies Makes Great Strides to Help the Environment

- The quantifiable benefits of visibility improvements in national parks and wilderness areas would total \$3 billion per year by 2020 – and this represents only improvements in the Southeast, Southwest, and California.
- Clear Skies would also:
 - Reduce nitrogen loads to Chesapeake Bay and other waters along the East and Gulf Coasts;
 - Eliminate chronic acidity in Adirondack region lakes by 2030 and help lakes, streams, and forests recover from acid rain damage; and
 - Reduce mercury in the environment.

Clear Skies Improves Effectiveness of the Clean Air Act

- Clear Skies would expand and strengthen a proven, mandatory, market-based approach and reduce reliance on complex, less efficient requirements.
- Clear Skies would significantly help state and local governments attain the National Ambient Air Quality Standards (NAAQS) for fine particles (PM_{2.5}) and ozone:
 - By 2010, an estimated 42 additional counties would meet the fine particle standard, and an estimated three additional counties would meet the 8-hour ozone standard.
 - By 2020, an estimated 35 additional counties would meet the fine particle standard, leaving only eighteen counties nationwide out of attainment with the fine particle standard. An additional three counties are projected to meet the 8-hour ozone standard.

Clear Skies Maintains Energy Diversity and Security

- Clear Skies would enable continued use of coal, an abundant domestic fuel source.
- Clear Skies would also benefit energy consumers by enabling power generators to continue to provide cost-effective electricity for America's energy needs.

List of MACT Tools Available

EPA Air Toxics Implementation Assistance Tools

Sorted by Title

Updated April, 2003

Date	Implementation Assistant Tool/Document Title	EPA PUBLICATION #
12/01/98 (Revised)	Aerospace Manufacturing and Rework Facilities - Summary of Requirements for Implementing the NESHAP	EPA-456/R-97-006
09/2000	Air Pollution Control Technology Training Modules – Overview of Carbon Adsorption, Wet Scrubbers, ESP etc. (CD, VHS available)	
07/01/99	Architectural Coatings - Small Entity Compliance Guide	EPA-453/R-99-003
10/01	Boat Manufacturing: Brochure, map of sources, slides from presentation, sample initial notification letter, checklists etc.	
4/95	Chromium Electroplating and Anodizing NESHAP - A guidebook on how to comply	EPA-453/B-95-001
09/01/97	Ethylene Oxide Commercial Sterilization and Fumigation Operations NESHAP Implementation Document	EPA-456/R-97-004
12/01/98	Flexible Polyurethane Foam Production - Plain Language Guide	EPA-456/B-98-001
09/01/97	Halogenated Solvent Cleaning: Summary of Requirements for Implementing the NESHAP	EPA-456/R-96-005
5/95	Guidance Document for Halogenated Solvent Cleaning NESHAP	EPA-456/R-94-081
09/02	<u>General Provisions</u> Various tools (e.g., example forms)	
11/01/97	Hospital/Medical/Infectious Waste Incinerator Emission Guidelines: Summary of Requirements for Section 111(d)/129 State Plans	EPA-456/R-97-007
8/02	<u>Large Appliances (Surface Coating)</u> Overview Brochure and Timeline	Ingrid Ward 919-541-2664
09/01/97	MACT Implementation Strategy	EPA-456/R-97-003
8/02	<u>Metal Coil (Surface Coating)</u> Overview Brochure and Timeline	Ingrid Ward 919-541-2664

Date	Implementation Assistant Tool/Document Title	EPA PUBLICATION #
07/01/96	Municipal Waste Combustion: Summary of the Requirements for Section 111(d)/129 State Plans for Implementing the MWC Emission Guidelines	EPA-456/R-96-003
10/01/96	Municipal Solid Waste Landfills, Vol. 1: Summary of the Requirements for the NSPS and EG	EPA-453/96-004
11/01/98	Municipal Solid Waste Landfills, Vol. 2: Summary of Requirements for Section 111(d) State Plans for implementing the MSW Landfill EG www.epa.gov/ttn/atw/landfill/landflpg.html	EPA-456/R-98-009
09/01/98	Off-Site Waste and Recovery Operations - Source Identification: Lists of Sources Potentially Subject to the Rule	EPA-456/R-98-006
10/04/99	Off-Site Waste and Recovery Operations - The Plain Language Implementation Assistance Document for Part 63 Subpart DD	EPA-456/R-99-007
5/00	Oil and Gas Applicability Flowcharts	
9/30/00	Pesticide Active Ingredient - Implementation Document (NOTE: Draft document only, no final will be released)	EPA-456/D-00-001
11/2000 (Revised)	Petroleum Refinery MACT Standard Guidance, Q & A online, Summary of MRR,	EPA-456-B-00-001
	Pharmaceutical MACT Rule (Expert system on applicability)	
09/01	Pharmaceutical MACT Inspection checklist http://www.epa.gov/ttn/atw/pharma/pharmpg.html	
9/30/00	Polyether Polyols Production - Implementation Document	EPA-456/R-00-002
10/04/99	Portland Cement Q & A Web-based Tool	
10/99	Primary Aluminum Plain Language Guide to the NESHAP-40 CFR 63, Subpart LL: Summary of Requirements	EPA-453/R-99-011
10/98	PTE - A Guide for Small Businesses	
9/30/01	Pulp and Bleaching System NESHAP for Pulp and Paper Industry: Plain English Description	EPA-456/R-01-002
9/30/01	Pulp and Paper Combustion Sources NESHAP: A Plain English Description	EPA-456/R-01/003

Date	Implementation Assistant Tool/Document Title	EPA PUBLICATION #
11/00 9/02	Secondary Aluminum (Sweat Furnace Operations) Brochure and draft workbook, source list, applicability flowcharts, Summary of MRR	EPA-456/F-00-004
09/00	Taking Toxics Out of the Air Document – Summary of Toxics program,	EPA-452/K-00-002
09/01/97	Wood Furniture Manufacturing Operations NESHAP Implementation Doc.	EPA-456/R-97-005

**To contact one of these persons you can e-mail them by typing: last name.first name@epa.gov. For example, Ingrid Ward's email address is: ward.ingrid@epa.gov*

EPA – MACT Implementation Projects Planned (FY 2003)

Air Toxics Implementation Tool Project Title	OAQPS Contact*
<u>Ethylene Oxide Sterilizers</u> – Revising existing tool	David Painter 919-541-5515
<u>Integrated Iron and Steel:</u> Inspection checklists, applicability flowcharts, compliance	Bruce Varner 312-886-6793
<u>Miscellaneous Organic NESHAP</u> – Surface coatings sources http://www.epa.gov/ttn/atw/mon/monpg.html	Anna Duncan 202-564-1657
<u>Municipal Solid Waste Landfill MACT:</u> Guidance on SSM plan	MaryAnn Warner 919-541-1192
<u>Paper and Other Web</u> [latest tool development efforts can be found on the Tool Development plan located at www.epa.gov/ttn/atw/powc/powcpg.html] Other surface coatings are on hold.	Ingrid Ward 919-541-2664
<u>Portland Cement</u> – Revise Q & A Web-based Tool	David Painter 919-541-5515
<u>Pulp and Paper Combustion Sources:</u> Inspection checklists, applicability flowcharts, compliance	Lisa McArthur
<u>Reinforced Plastics</u> (http://www.epa.gov/ttn/atw/rpc/rpcpg.html)	Anna Duncan 202-564-1657
<u>Secondary Aluminum:</u> example malfunction plan and notification forms, sweat furnace workbook, trainings for regulators (March, Region 4 & 7)	Larry Brockman 919-541-5398
<u>Ship Building & Repair:</u> Inspection checklists, applicability flowcharts, compliance timelines	Lee Page 404-562-9131
<u>SOCMI Waste Water NSPS:</u> Inspection checklist, applicability flow charts, compliance timeline, Q & As, Relationship to other rules table	Tom Link 919-541-5456

<u>Wool Fiberglass</u> : Inspection checklists, applicability flowcharts, compliance timelines	Mozafar Ghaffari 212-637-3925
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Projects Tentatively Planned Work for FY 04

Project Title	EPA Contact
Industrial/Commercial/Institutional Boilers (MACT) (economically significant rule) http://www.epa.gov/ttn/atw/combust/boiler/boilerpg.html	David Painter 919-541-5515
<u>Miscellaneous Organic NESHAP</u> http://www.epa.gov/ttn/atw/mon/monpg.html	Anna Duncan 202-564-1657
Plywood and Composite Board http://www.epa.gov/ttn/atw/plypart/plypart.html	
<u>Paper and Other Web</u> [latest tool development efforts can be found on the Tool Development plan located at www.epa.gov/ttn/atw/powc/powcpg.html] Other surface coatings are on hold.	Ingrid Ward 919-541-264
Reciprocating Internal Combustion Engines (RICE) http://www.epa.gov/ttn/atw/combust/engine/ricepg.html	David Painter 919-541-5515
<u>Reinforced Plastics</u> http://www.epa.gov/ttn/atw/rpc/rpcpg.html	Anna Duncan 202-564-1657

To contact one of these persons you can e-mail them by typing: last name.first name@epa.gov. For example, **Ingrid Ward's email address is: ward.ingrid@epa.gov For Further Information Contact: **Lalit Banker** at (919)5415420*

What's New in Chemical Accident Prevention

EPA's Chemical Emergency Preparedness and Prevention Office

Regulatory Developments

Proposed Modifications to the Risk Management Plan (RMP) Program

Early this summer, we expect to publish a proposal for public comment that would modify several data elements required in an RMP submission. At the time of the proposal's publication in the Federal Register, we will post information on the CEPPO web site (www.epa.gov/ceppo). We will also send an email message to subscribers to the CEPPO email updates.

To subscribe to CEPPO e-mail updates:

- 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 Your First Name Your Last Name
- 4) Within 24 hours, you should receive confirmation.

Site Security

CCPS® Security Vulnerability Analysis

The American Institute of Chemical Engineers (AIChE) Center for Chemical Process Safety (CCPS) has developed a method to analyze chemical security risks. You can request the CCPS *Guidelines for Analyzing and Managing the Security Vulnerabilities at Fixed Chemical Sites* in electronic format (free of charge) at the CCPS website <http://www.aiche.org/ccpssecurity/>. In addition, EPA has purchased a limited number of printed copies of the CCPS guidelines and is making them available to small businesses upon request. To request a copy, contact your EPA Regional RMP Coordinator:

Region 1	CT, ME, MA, NH, RI, VT	Ray Dinardo (617) 918-1804
Region 2	NJ, NY, PR, VI	John Ulshoefer (732) 321-6620
Region 3	DE, DC, MD, PA, VA, WV	Mikal Shabaaz (215)814-3281
Region 4	AL, FL,GA, KY, MS, NC, SC, TN	Victor Weeks (404) 562-9189
Region 5	IL, IN, MI, MN, OH, WI	Mark Horwitz (312)353-9045
Region 6	AR, LA, NM, OK, TX	Steve Mason (214) 665-2292
Region 7	IA, KS, MO, NE	George Hess (913) 551-7540
Region 8	CO, MT, ND, SD, UT, WY	Barbara Benoy(303)312-6760
Region 9	AZ, CA, HI, NV, AS, GU	Angie Proboszcz (415)972-3077
Region 10	AK, ID, OR, WA	Cal Terada (206) 553-4141

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

For regulatory questions, contact the RCRA, Superfund & EPCRA Call 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

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

Additional printed copies can also be purchased at the CCPS website for \$59.



EPA's Small Business Innovation Research (SBIR) Program

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

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

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

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

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

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

1-800-490-9194

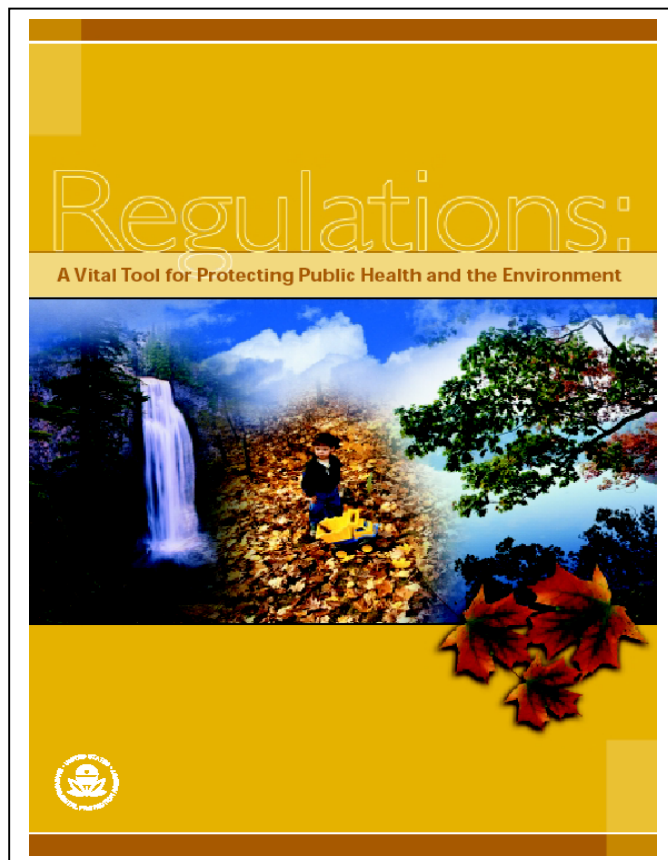


NEW LAY PERSON'S GUIDE TO RULE DEVELOPMENT WITHIN EPA

EPA's Regulatory Management Staff within the Office of Policy, Economics and Innovation, has recently developed a plain-language guide to EPA's regulatory development process. The guide is entitled *Regulations: A Vital Tool for Protecting Public Health and the Environment*. Some of the topics addressed in the guide are: the origin of regulations, which includes a chronology of major US environmental laws; developing regulations; important considerations that guide decision-making, including economic benefits and costs; when regulations are not needed; improving the process; a glossary of terms used in the document; and a list of helpful websites.

For copies of the guide, please contact:
Andrew McIntosh at 202/564-4696 or via email at .

This pamphlet is available for downloading on the EPA website at
<http://www.epa.gov/opei/regulatory/booklet>



New!

Guide for Industrial Waste Management

This comprehensive *Guide* provides information and resources to develop state guidelines, hold workshops to educate business and individuals, and train facility operators. The information presented is broad and easily tailored to individual applications for safe management of industrial wastes. The *Guide* is available three ways:

- ◆ On the web, look for the *Guide* at in .pdf form for each chapter.
- ◆ Get the *Guide* on CD. Send your request for *Guide for Industrial Waste Management*, EPA530-C-03-002 to US EPA/NSCEP, P.O. Box 42419, Cincinnati, Ohio 45242-0419.
- ◆ Get the *Guide* as a paper report. Send your request for *Guide for Industrial Waste Management*, EPA530-R-03-001 to US EPA/NSCEP, P.O. Box 42419, Cincinnati, Ohio 45242-0419.

The eRulemaking Initiative At A Glance

The eRulemaking Initiative is one of the 24 E-Government Initiatives on the President's Management Agenda (PMA) aimed at integrating agency operations and technology investments. E-Government is an integral part of the PMA to make it easier for the public to interact with the government, increase efficiency and save taxpayer dollars. The Environmental Protection Agency (EPA) is the Managing Partner for the overall eRulemaking Initiative. Other partners in this initiative are the Department of Agriculture (USDA), Federal Communications Commission (FCC), General Services Administration (GSA), Government Printing Office (GPO), Department of Health and Human Services/Food and Drug Administration (HHS/FDA), Department of Housing and Urban Development (HUD), Department of Justice (DOJ), Department of Labor (DOL), the National Archives and Records Administration/Federal Register (NARA/FR), and the Department of Transportation (DOT).

The eRulemaking Initiative is a three-phased project, managed by the EPA's Office of Environmental Information. As a leader in this three-stage project, EPA and partner agencies are carrying out the following:

- Providing an easy and consistent way for the public to search, view, and comment on proposed federal regulations and other documents open for comment. (Module 1)
- Creating a government-wide, centralized docket system for all federal agencies that will allow the public to access and search all publicly available regulatory material. (Module 2)
- Building a seamless, integrated, unified, and cost-effective regulatory management system to ensure efficiency, economies of scale, and consistency in the federal rulemaking process. (Module 3).

Regulations.gov

The Initiative is making great progress. The Regulations.gov website, launched on January 24, 2003, is the first milestone in reaching the goals of the eRulemaking Initiative. The website has seen tremendous growth in the number of hits it receives each month. Since its launch in January, the website has received over 880,000 hits with an average of over 8,000 hits per day. Regulations.gov efficiently employs the power of the existing information systems at GPO and NARA. The same Federal Register documents that GPO provides online are also used to keep Regulations.gov up-to-date. Therefore, Regulations.gov is updated every business day as new regulations are proposed. All the proposed and final rules that are open for comment are cataloged and then posted to the site. Via Regulations.gov, citizens have easy, manageable access and the ability to comment on these proposed rules at one web site. GPO provides user support and hosts the front-end of the website, and EPA hosts the comment portion (back-end) of the site.

The eRulemaking Team Continues Outreach

The eRulemaking Board, consisting of representatives from each of the partner agencies, meets on a monthly basis and is charged with advising EPA on the overall direction of the eRulemaking Initiative. In addition to monthly Board meetings, the eRulemaking team has been meeting with several departments and agencies to foster agency participation in the centralized electronic docket system (Module 2 of eRulemaking). These agencies include the Department of Homeland Security (DHS), Equal Employment Opportunity Commission (EEOC), the Alcohol and Tobacco Tax and Trade Bureau (TTB), Securities Exchange Commission (SEC), Department of Agriculture (USDA), Department of Justice (DOJ), and the Department of Defense (DOD).

The eRulemaking team has met with several organizations to discuss the implementation and current activities of the eRulemaking initiative. The team met with delegates from the Kyrgyz Republic in June to provide information on e-government, the federal rulemaking process, and the initiative. During their visit to the United States, policy and IT representatives from Kyrgyzstan met with several local, state, and federal government agencies as well as private companies to learn about e-government in the U.S. The eRulemaking team also met with students from New York Law School's Institute for Information Law and Policy, who were interested in learning about the legal and policy issues surrounding the initiative. The eRulemaking Program Office will continue collaborative work with academic institutions to assist in research pertaining to the use of information technology in the rulemaking process and other issues related to online rulemaking. For Further Information Contact: **Kimberlie R. Orr** at: (202) 566-1703.

EPA Regulatory Actions Designated For Section 610 Review

Section 610(a) of the Regulatory Flexibility Act (5 U.S.C. 601) requires each agency to have a plan for the periodic review of its rules that have significant economic impact on a substantial number of small entities. EPA solicits comments on the continued need for the rule; the nature of complaints or comments received concerning the rule; the complexity of the rule; the extent to which the rule overlaps, duplicates, or conflicts with other Federal, State, or local government rules; the degree to which technology, economic conditions, or other factors in the area affected by the rule.

EPA has established an official public docket for each of these 610 reviews under a docket identification (ID) number as indicated below. The official public docket is the collection of materials that is available for public viewing at the docket facility. An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket ID number.

EPA must publish annually in the *Federal Register* a list of the rules that it plans to review in the next year. EPA lists these reviews in the semi-annual Regulatory Agenda (see Regulatory Agenda sequence number below). EPA is conducting reviews of the following regulatory actions this year.

Seq. No.	Title and Final Rule Federal Register Publication Date	Comment Period and EDOCKET ID#	Contact Information
3030	NESHAP: Perchloroethylene Dry Cleaning Facilities 9/22/1993 (58 FR 49354)	Comments must be received by July 31, 2003. OAR-2003-0029	Thomas Eagles Phone: 202-564-1952 Email: eagles.tom@epa.gov
3031	Standards for Reformulated and Conventional Gasoline 2/16/1994 (59 FR 7716)	Comments must be received by July 31, 2003. OAR-2003-0030	Thomas Eagles Phone: 202-564-1952 Email: eagles.tom@epa.gov
3032	Inspection/Maintenance Program Requirements 11/5/1992 (57 FR 52950)	Comments must be received by July 31, 2003. OAR-2003-0031	Thomas Eagles Phone: 202-564-1952 Email: eagles.tom@epa.gov
3249	Pesticide Worker Protection Rule August 21, 1992 (Revisions)	Comments must be received by July 31, 2003. OPP-2003-0115	Donald Eckerman Phone: 703-305-5062 Email: eckerman.donald@epa.gov
3268	Lead: Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities 8/29/1996 (61 FR 45778)	Comments must be received by July 31, 2003. OPPT-2003-0015	Ellie Clark Phone: 202-566-0498 Email: clark.ellie@epa.gov
3361	Sewage Sludge Standards to Determine the Financial Impact on Small Entities in the Wastewater Treatment Sector 2/19/1993 (58 FR 9248)	Comments must be received by July 31, 2003. OW-2003-0016	Alan B. Rubin Phone: 202-566-1125 Email: rubin.alan@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)

Implementation Tool Development Plan for new Surface Coating Rules, Update

EPA's Office of Air Quality Planning and Standards (OAQPS) is publishing ten new Maximum Achievable Control Technology (MACT) standards that regulate hazardous air pollutant emissions from various surface coating operations. EPA is in the process of determining what types of implementation tools are needed for each of these new surface coating MACTs. You can keep abreast of our implementation activities by periodically checking the Implementation Tool Development Plan. Implementation Plans will be developed for each new coating MACT and will tell you: (1) what we're planning for that rule; (2) who we're partnering with to develop tools; and (3) when we expect tools to be available for use. Implementation tools for Large Appliances and Metal Coil are complete and are available on the EPA website. We anticipate implementation tools for Paper and Other Web Coatings to be completed sometime in the September or October 2003 timeframe. To find out more about our tool development efforts and for website addresses for these new coating rules, please see our brochure entitled "Implementation Activities for the New Surface Coating MACTs - An Overview and Partnership Opportunities" at <http://www.epa.gov/ttn/atw/powc/partner.pdf>.

EPA Researching Deferral of Area Sources from Title V Permitting in Anticipation of 2004 Deadline

EPA is seeking information from states on their implementation of MACT regulations in six area source categories that are currently deferred from title V permitting. The deferral ends in December 2004 and by then EPA must decide whether to permanently exempt these categories from permitting or to require title V permits. Under the Clean Air Act, EPA may exempt area sources from permitting if it can show that permitting would be impractical, infeasible or unnecessarily burdensome on sources. EPA is currently seeking any information that would help it make this showing, such as indications that states are able to achieve high compliance with the MACT standards without using title V permits.

Integrated 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. 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 or call EPA's Office of Air Quality, Planning and Standards at 919-541-2798.

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 business because it has the potential to affect many small sources. EPA published the final Federal Register notice for area sources on November 22, 2002. That notice added 23 new area source categories to those previously listed for a total of 70 area source categories. Of the 70 categories on the list, 14 have already been regulated. EPA is currently in negotiations with a litigant to develop schedules for the remaining area source categories. We are also working on a strategy to prioritize the work to be done, as well as to implement regulations for so many source categories. More information on area source standards is available at <http://www.epa.gov/ttn/atw/urban/arearules.html>
Contact: Barbara Driscoll at 919-541-1051.

Residual Risk and MACT standard Review Program

Eight years (nine years for the 2-year MACT bin) 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 with an ample margin of safety. We are also required to review the technology-based standards every eight years after publication. Currently, there are over twenty residual risk and MACT review standards development programs under way. The first proposal is for coke ovens and should be out in the fall of 2003. For more information on the program, source categories, and project contacts, visit the web at <http://www.epa.gov/ttn/atw/rrisk/residriskpg.html>
Contacts: Standards Development - Elaine Manning at 919 541-5499 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 published a final NESHAP, were required to submit a Part 1 title V permit application to their permitting authority by May 15, 2002 to incorporate case-by-case maximum achievable control technology (MACT). 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. Earth Justice, representing the Sierra Club, filed a petition for judicial review on the amendments to the regulations. EPA published a final

rule on May 30, 2003 (68 FR 32586) revising section 112(j) and the General Provisions in accordance with a November 2002 settlement agreement.

The 112(j) permit application process, as amended, still 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. However, we anticipate that our current schedule for completing the remaining NESHAP will result in final standards prior to any Part 2 applications being required.

The latest development is Earthjustice, on behalf of the Sierra Club, filed notice June 10 with EPA attorneys that it no longer wants to be a party to the November 2002 agreement. There is a possibility that Earthjustice will revive their lawsuit.

Business who 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.

Organic Liquids Distribution (Non-Gasoline)

This project is to develop national emission standards for hazardous air pollutants by establishing maximum achievable control technology (MACT) for facilities distributing organic liquids. This project should include but is not limited to those activities associated with the storage and distribution of organic liquids other than gasoline at sites that serve as distribution points from which organic liquids may be obtained for further use and processing. www.epa.gov/fedrgstr/EPA-AIR/2002/April/Day-02/a7095.htm. Item I-48

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.

BROWNFIELDS (SMALL BUSINESS LIABILITY RELIEF AND BROWNFIELDS REVITALIZATION ACT)

All Appropriate Inquiry Rules Being Developed

EPA's Office of Brownfields Cleanup and Redevelopment has convened an EPA Workgroup and the EPA Administrator has convened a FACA Committee to develop standards under Section 223 of the Small Business Liability Relief and Brownfields Revitalization Act (the Brownfields Law) on "all appropriate inquiry" for certain purchasers of real property. Under the Brownfields Law, Congress provided certain protections from CERCLA liability for *Bona Fide* prospective purchasers, contiguous property owners, and innocent landowners. One condition for obtaining the CERCLA liability protections is that purchasers of potentially contaminated real property must conduct "all appropriate inquiry" prior to purchasing a property. The federal regulation governing how to conduct all appropriate inquiry is being developed by a FACA Committee through a negotiated rulemaking. When a final rulemaking is promulgated it will replace the interim standard established by Congress in the Brownfields Law, which is the ASTM E1527 Phase I Environmental Site Assessment Standards. The EPA workgroup will provide supporting analyses for the proposed rulemaking, in compliance with applicable Executive Orders and legislation. The FACA Committee has met twice so far—April 29-30 and June 10-11. The FACA Committee has set ground rules for its operation and is considering current guidance and practice, receiving advice from resource organizations in efforts to identify appropriate options for the regulatory standards. The Committee also held initial conceptual discussions on each of the ten "All Appropriate Inquiry" criteria set out in the Brownfields Law. Subgroups of the FACA are beginning to draft initial rule language. The FACA expects to meet approximately every six weeks and to have a proposal by December 1, 2003. For further information contact: Patricia J. Overmeyer at (202- 566-2774).

CLEAN WATER ACT (CWA)

Effluent Guidelines Program

Effluent guidelines are regulations for industrial discharges to surface waters and to publicly-owned treatment systems. In the first half of 2003, EPA published two effluent guidelines of interest to many small businesses. In February 2003, EPA published revisions to the effluent guidelines for concentrated animal feeding operations, and in May 2003, EPA published effluent guidelines for Metal Products and Machinery. We continue to work on effluent guidelines for the following industries: construction and development, meat and poultry products, and aquatic animal production (often called aquaculture). 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 for several of these industries.

In November 2002, EPA announced a draft Strategy that describes a process EPA may use to identify industries for which effluent guidelines need to be revised or developed, in compliance with Section 304(m) of the Clean Water Act. The draft Strategy, along with a Federal Register announcement and a Fact Sheet, are available on the Internet at <http://www.epa.gov/guide/strategy>. EPA expects to use the draft strategy to propose an Effluent Guidelines Program Plan for 2004/2005 in September 2003.

Metal Products and Machinery

On May 13, 2003, EPA published new effluent guidelines controlling oily wastewaters for approximately 2,400 facilities. The new Metal Products and Machinery (MP&M) effluent guidelines establish technology-based effluent limitations for wastewater discharges from new and existing facilities that manufacture, rebuild, or maintain finished metal products, parts, or machines. EPA expects that, when the rule is implemented, the discharge of conventional pollutants (e.g., oil and grease and total suspended solids) will be reduced by about 500,000 pounds per year. Water quality improvements will increase opportunities for swimming and fishing and will reduce stress on aquatic ecosystems. EPA estimates it will cost facilities, both private and government, about \$13.8 million a year to comply with this rule. EPA estimates that the affected companies can afford these costs.

EPA assessed the potential economic impact of the rule on small entities. The costs for small firms are estimated to be no more than one percent of their annual revenue. No facilities owned by small businesses were projected to close, nor did we project even a moderate level of other adverse changes to their financial condition. EPA concluded that the final rule will not have a significant economic impact on a substantial number of small entities.

The MP&M Technical Development Document (available on EPA's website at www.epa.gov/guide/mpm/) provides guidance to permit writers and the regulated community for implementing the MP&M effluent limitations guidelines and standards.

Construction and Development

The public notice for the proposed effluent guidelines for Construction and Development appeared in the Federal Register on June 24, 2002; the public comment period closed on December 23. EPA proposed three options that relate to the discharge of pollutants from construction sites. The proposal, supporting documents, and related information are available on the C&D website at <http://www.epa.gov/waterscience/guide/construction>. The proposal included options that work in conjunction with existing National Pollutant Discharge Elimination System (NPDES) storm water regulations. One option is an effluent guideline that specifies design criteria for construction site runoff controls and includes requirements for site inspection and certification that controls have been properly installed. Another option includes site inspections and certification requirements only. The third option is a "no regulation" option that relies on the existing regulations.

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

EPA conducted a series of public information meetings on the proposed rule from July to September, 2002. The rule is scheduled for final action in March 2004.

Concentrated Aquatic Animal Production

The public notice for the proposed effluent guidelines for Concentrated Aquatic Animal Production appeared in the Federal Register on September 12, 2002; the public comment period closed on January 27, 2003. EPA received about 300 comments from federal, state, and local government agencies, industry associations, environmental organizations, and private citizens.

Prior to proposal, EPA convened a Small Business Advocacy Review Panel and solicited feedback from 22 small entity representatives on various aspects of the proposal, including the scope of the proposed rule in terms of production systems, species and sizes of facilities to be covered. Specifically, pond production systems were not included in the scope of the proposed rule as a result of the input from the small entity representatives and others. EPA also refined aspects such as best management practices and reporting requirements. Many of these requirements reflect comments provided by the small entity representatives.

The proposed rule applies to commercial, academic, government, and other non-profit organizations which meet the definition of a Concentrated Aquatic Animal Production facility (as already set forth in the Code of Federal Regulations) and produce 100,000 pounds of aquatic animals or more per year through flow-through, recirculating, or net pen production systems. The proposed regulation would establish limits on the discharge of total suspended solids as a means of addressing concerns about conventional and nutrient pollutants. The proposed regulation also addresses concerns related to drugs and other chemicals entering the Nation's waters from these facilities. The proposed production-based threshold of 100,000 pounds of aquatic animals or more was established, in part, to minimize disproportionate economic impacts on small businesses.

EPA plans to publish a Notice of Data Availability (NODA) later this year to request comment on new data received since the proposal. EPA will also discuss how this new data along with data submitted with comments may affect the regulation. In the proposal, EPA indicated we would reevaluate other production-based thresholds based on new information such as the detailed survey responses, which will also be discussed in the NODA. EPA encourages facilities that may be affected by this rule to review the NODA and provide comment. The rule is scheduled for final action in June 2004.

Meat and Poultry Products

The proposed effluent guidelines for Meat and Poultry Products cover process water generated as a result of meat and poultry slaughtering, further processing, and rendering activities. In general, the proposal focuses on the larger facilities in the industry. EPA does not expect the proposed regulations to affect many small businesses. EPA proposed to revise only the new source standards and Best Practicable Technology (BPT) limits, and to establish Best Available Technology (BAT) limits for the meat and rendering facilities that exceed specific production thresholds. EPA also proposed to establish new source standards and BPT, BAT, and Best Conventional Pollutant Control Technology (BCT) limits for poultry slaughtering and processing facilities based on specific production thresholds. EPA did not propose to establish pretreatment standards for any Meat and Poultry Products facilities, although the proposal solicited data and information on interferences in Publicly Owned Treatment Works (POTW) operations caused by Meat and Poultry Products discharges.

By proposing not to establish pretreatment standards, and to establish or revise requirements for direct discharging facilities according to their production level, the regulations are not expected to affect many small businesses. In the preamble to the proposed rule, the Administrator certified that the proposed rule would not have a significant economic impact on a substantial number of small entities.

Accordingly, EPA did not convene a Small Business Advocacy Review

Panel for the Meat and Poultry Products effluent guideline. EPA provided an analysis of small businesses that might be affected by the proposal and solicited comment on this analysis in the preamble to the proposed rule, which was published in the Federal Register on February 25, 2002. The comment period closed on June 25, 2002.

Based on comments on the proposal and discussions with stakeholders, EPA collected additional data and revised its methodologies for estimating compliance costs and pollutant reductions. EPA expects to publish a notice in the Federal Register this Summer to solicit comment on the new data and methodologies. The rule is scheduled for final action in December 2003.

Concentrated Animal Feeding Operations

The final rule for the Concentrated Animal Feeding Operations (CAFOs) revises and clarifies the EPA's regulatory requirements for CAFOs under the Clean Water Act. This final rule will ensure that CAFOs take appropriate actions to manage manure effectively in order to protect the nation's water quality. The CAFO rule was published in the Federal Register on February 12, 2003. You can find the rule and other CAFO information at

<http://cfpub.epa.gov/npdes/af/cafofinalrule.cfm>

Cooling Water Intake Structures

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

On December 18, 2001, EPA published final regulations to protect fish and other aquatic organisms from being killed or injured by cooling water intake structures at new facilities. The Administrator certified that the rule would not have a significant economic impact on a substantial number of small entities. On April 9, 2002, EPA published proposed regulations for cooling water intake structures at existing electric power generating plants that use 50 million or more gallons of cooling water a day. EPA concluded that the proposed rule would not have a significant economic impact on a substantial number of small entities. EPA must take final action on the proposal by February 16, 2004.

By November 1, 2004, EPA must propose regulations for existing manufacturing facilities and for existing electric power generating plants that use less than 50 million gallons of cooling water a day. In early 2004, EPA anticipates convening a Small Business Advocacy Review Panel for the November 2004 proposed rule. You can check for updates on the Cooling Water Intake regulations on the Internet at <http://www.epa.gov/waterscience/316b/>

Compliance Guide for CAFOs - EPA will be publishing a document entitled "*Compliance Guide for CAFOs: Revised Clean Water Act Regulations For Concentrated Animal Feeding Operations (CAFOs)*" in the summer of 2003. The purpose of this document is to help owners and operators of CAFOs understand and comply with the recently revised CAFO Clean Water Act regulations promulgated on February 12, 2003. This document is EPA's official compliance guide for small entities required by the Small Business Regulatory Enforcement Fairness Act of 1996. While this guide fulfills the requirement to publish a guidance for small entities (as defined by the Small Business Administration), this guide applies to all sizes of CAFOs. This guide will aid the user in determining if they should be regulated under the revised CAFO regulations, and if so, what they might be required to do.

Instructions regarding obtaining a copy of this document will be included in a future volume of this Newsletter upon its completion.

Storm Water - NPDES Construction General Permit (CGP)

On June 30, 2003 EPA Regions 1, 2, 3, 5, 6, 7, 8, 9, and 10 issued EPA's National Pollutant Discharge Elimination System (NPDES) general permits for discharges from large (disturbing five or more acres) and small (disturbing one to five acres) construction activity. The construction general permit (CGP) replaces the existing permit covering large construction sites in EPA Regions 1, 2, 3, 7, 8, 9 and 10 that expired on February 17, 2003 and the permit covering large construction sites in EPA Region 6 that expires July 6, 2003. The permit also covers large construction sites in EPA Region 5.

The 1998 CGPs only required permits for construction that disturbs five or more acres. EPA's "Storm Water Phase II" rule issued in December 1999 requires permit coverage by March 10, 2003 for sites disturbing one to five acres. Therefore, the CGP requires permits for construction disturbing more than one acre in EPA Regions 1, 2, 3, 5, 6, 7, 8, 9 and 10. EPA Region 4 will soon propose revisions to its construction permit to require coverage for sites disturbing one to five acres.

The CGP is similar to the 1998 permits and will authorize the discharge of pollutants in storm water runoff associated with construction activities in accordance with the terms and conditions described therein. The CGP requires construction operators to submit a Notice of Intent (NOI) to be covered under the CGP. This includes basic information about the operator and the project site. Operators must develop a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP includes a description of the Best Management Practices (BMPs) that will be used to reduce pollutants in the storm water discharges. Operators must also conduct regular site inspections, comply with Endangered Species Act requirements, and submit a Notice of Termination when construction is complete.

Copies of the CGP and information about EPA's storm water construction program are available at www.epa.gov/npdes/stormwater/const.cfm.

SAFE DRINKING WATER ACT (SDWA)

Safe Drinking Water Act (SDWA) Regulation Overview Workbook:

EPA is currently developing a workbook that explains how current and future SDWA regulations relate to each other to achieve public health protection. This workbook focuses on why compliance is important, what knowledge is needed in order to comply, and when compliance is required. EPA is expecting to have this workbook completed by Fall 2003. When completed, copies of this document can be obtained from the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Asset Management Workbook

EPA is currently developing a workbook that will emphasize how effective asset management is a key element of a small system sustainability. Various sample worksheets will be provided to help small systems organize data and determine the best approach to maintenance and replacement of major physical assets. EPA is expecting to have this workbook completed by Fall 2003. When completed, copies of this document can be obtained from the EPA

website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Sources of Financial and Technical Assistance for Small Systems

This brochure 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 Manufactured Home Communities and Homeowners Associations

EPA is currently developing a workbook to assist mobile home communities and homeowners associations in conducting a simple inventory of infrastructure for capital planning purposes. This workbook will be 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. EPA is expecting to have this workbook completed by Fall 2003. When completed, copies of this document can be obtained from the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

Strategic Planning Workbook

EPA is currently developing a simple workbook to assist small systems in strategic planning. The workbook will provide worksheets and related tools to help systems organize data and systematically assess their strengths, weaknesses, challenges, and opportunities. This workbook is based on the strategic planning workshops held around the country in 2000. EPA is expecting to have this workbook completed by Fall 2003. When completed, copies of this document can be obtained from the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

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

EPA is currently developing 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 will also incorporate security-related tasks that could be accomplished in conjunction with the maintenance tasks. EPA is expecting to have this product completed by Spring 2004. When completed, copies of this document can be obtained from the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

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. 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 give 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. The fifth report is due by July 1, 2003. EPA is currently piloting a new, internet-based tool, CCRiWriter, to assist water systems with preparing their CCRs. This tool can now be used to prepare 2003 reports. This web version updates the earlier CD-based software and is intended to reduce the burden to drinking water systems by walking them through CCR requirements and regulations. Users answer a series of questions about regulated contaminants, source water, and other required topics. 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. Assessments have been completed for 32,000 community water systems, or 6 out of every 10 such systems, which provide the overwhelming majority of the nation's population with drinking water. 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 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). On June 3, 2002, EPA announced its preliminary 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 preliminary 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. The 60-day public comment period on the CCL preliminary regulatory determinations ended on July 16, 2002 and a *Federal Register* notice of the Agency's final determinations is expected in 2003.**

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 April 17, 2002, the Agency announced in the *Federal Register* its preliminary decisions for 68 chemical NPDWRs and the Total Coliform Rule (TCR). The *Federal Register* also described the protocol that the Agency used to perform the review. Based on its review, the Agency preliminarily decided that the 68 chemical NPDWRs remain appropriate at this time and that one rule - the TCR should be revised. The Agency requested public comments on these preliminary decisions and the protocol. The 60-day public comment period ended on June 17, 2002. Final revise/not revise decisions are expected to be announced in the *Federal Register* in June 2003.

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.

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 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 2003.

Stage 2 Disinfectants/Disinfection Byproducts Rule

EPA plans to propose a Stage 2 Disinfectants/Disinfection Byproducts Rule (DBPR) in mid 2003. 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.

Small Systems Guide to the 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 Fall 2003.

Long Term 2 Enhanced Surface Water Treatment Rule

EPA plans to propose the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) in mid 2003. 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. 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 is developing an *Arsenic Treatment Technology Evaluation Handbook for Small Systems*, which is expected to be completed in Summer 2003. 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

EPA is currently developing a handbook that 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 will be provided. The handbook is intended for use by consulting engineers, state engineers, and technical assistance providers. EPA is expecting to have this handbook completed by Fall 2003. When completed, copies of this document can be obtained from the EPA website 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 completed by Fall 2003.

EPA Awards Water Security Training Grants

As part of EPA's initiative to help small drinking water utilities assess their vulnerabilities to terrorism, EPA Assistant Administrator for Water, G. Tracy Mehan III, announced the award of \$1.5 million in Grants for Water Security Training and Assistance to five nonprofit training and technical assistance organizations. The grants are authorized under the *Public Health Security and Bioterrorism Preparedness and Response Act of 2002*. The following organizations will receive grants: the Maryland Center for Environmental Training at the College of Southern Maryland -- La Plata, Md.; the National Environmental Services Center at West Virginia University -- Morgantown, W.Va.; the National Rural Water Association -- Duncan, Okla.; the Rural Community Assistance Program -- Washington, D.C.; the Water Environment Federation -- Alexandria, Va. Grant funds, up to \$300,000 per organization, will be used to support "Train-the-Trainer" efforts to build staff expertise in drinking water security and provide no-cost training to state, tribal, or local agencies that assist drinking water systems. The program's goal is to provide a pool professionals who can deliver training and technical assistance to drinking water systems serving populations of less than 50,000 people. For more information on EPA's water infrastructure security efforts visit <http://www.epa.gov/safewater/security/>.

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 will implement 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*. Through a combination of training sessions, on-site technical assistance, and internet based tools, the National Rural Water Association will provide 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://www.epa.gov/safewater/security/>.

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.

OTHER WATER INFORMATION

Second National Coastal Condition Report

An interagency team, consisting of National Oceanic and Atmospheric Administration (NOAA), US Geological Service (USGS), US Fish and Wildlife Service (FWS), and EPA representatives, is

developing an updated coastal *Report* using recent (1998-2001) water quality, sediment and biotic indicators based upon EPA and State National Coastal Assessment data. The update will include areas that were not evaluated in the first *Report* (West Coast, Alaska, Hawaii and island territories). NOAA will provide a case study chapter on linking coastal condition and the ability of coastal areas to meet human expectations for their use along with fisheries data. FWS will update information on wetlands loss. The *Report* will incorporate highlights on individual state or estuary specific coastal indicators. The external and peer review of the draft *Report* is targeted to start in the Fall of 2003; the report is scheduled for release in the Fall 2004.

EPA issued the first environmental report card on the nation's coastal waters in March 2002. The *National Coastal Condition Report* was prepared to help decision-makers manage coastal resources and increase public awareness of the condition of coastal waters. The findings in this Report serve to monitor the progress of coastal programs as EPA continues to assess the condition of coastal waters. The full text of the first Report as well as a fact sheet is available at <http://www.epa.gov/owow/oceans/nccr/index.html>.

Effects of Urban Design on Water Quality

The Office of Water is working to provide tools and guidance on preserving water quality with better informed local land use decisions. These "Smart Growth" tools have substantial environmental and economic benefits, including:

Low Impact Development (LID) techniques, including urban forestry <http://www.epa.gov/nps/lidlit.html>.)

Lowered infrastructure costs associated with infill and brownfield redevelopment.

Favorable financing through Location Efficient Mortgages. Integration of residential and commercial land use (<http://www.epa.gov/smartgrowth>)

Transit oriented development that reduces air pollution by providing an alternative to the automobile and encourages walking and biking for improved public health.

For more information on the role of businesses in healthy communities, see the National Association of Local Government Environment Professionals publication, "Profiles of Business Leadership in Smart Growth." The executive summary and information on ordering are online at <http://www.nalgep.org/smartgrowth.htm>.

HAZARDOUS WASTE MANAGEMENT RESOURCE CONSERVATION & RECOVERY ACT (RCRA)

Revised Standards for Hazardous Waste Combustion Facilities

A date for a proposed rule is now anticipated early in calendar year 2004. We will address further action on this in future Updates. Additional information may now be found at the EPA Hazardous Waste Combustion Website, <http://www.epa.gov/hwcmact>.

RCRA Definition of Solid Waste Proposed Rule (Also Known as the ABR Proposed Rule)

The draft Proposal is a continuation of more than 10 years of work on the Resource Conservation and Recovery Act (RCRA) definition of solid waste, and a response to the decision of the D.C. Circuit Court in *Association of Battery Recyclers v. EPA* (ABR decision), which addresses the scope of EPA's authority over recycling under its hazardous waste program. The draft proposal is expected to have two major components: a regulatory exclusion for materials that are recycled in a "continuous process within the generating industry" and codification of long-standing criteria used to determine whether recycling is "legitimate." The proposal was submitted for OMB review in April and OMB completed their review on July 11, 2003. Publication in of the proposal in Federal Register is expected late August or September.

RCRA Reporting And Recordkeeping Burden Reduction

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

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

The proposals in the Rule are:

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

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

Dyes and Pigments

This action addresses the potential human health and environmental risks posed by wastes from the manufacture of dyes and pigments, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any potentially unacceptable risks. If listed under RCRA, these wastes also would be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. We have not yet determined whether there will be small business impacts. EPA previously proposed listing decisions for the wastes of concern in 1994 Dyes and Pigments I (D&P I)

and 1999 (D&P II). The 1994 and 1999 proposals have not been promulgated because they relied on redacted data claimed by industry to be confidential. These data are subject to a court injunction prohibiting publication until the CBI claims are resolved. We recently have developed a new approach to this action that we believe will allow us to re-propose listing determinations for the wastes of concern without relying on the contested data. The Work Group closure date for the proposed rule is August 14, 2003, and we expect signature by the Administrator on November 10, 2003.

Solvent-contaminated Shop Towels And Wipes

EPA's Office of Solid Waste is developing a rulemaking that would change the regulations affecting solvent-contaminated shop towels, wipes, and rags. Currently, a disposable wipe or rag may be regulated as a hazardous waste if that wipe or rag comes in contact with a solvent that, when spent, is a listed hazardous waste or exhibits a characteristic of hazardous waste.

Under most state programs, reusable towels already are conditionally exempted from regulation as hazardous waste. As a condition of the exemption, however, the towels may not contain any free liquids when they are sent off-site to a laundering facility. Otherwise, there are few regulations applicable to reusable shop towels.

The current rulemaking effort is directed to both clarifying and streamlining requirements for disposable and reusable solvent-contaminated shop towels, wipes and rags, such as record-keeping and reporting, manifesting, so long as specified conditions, such as not containing free liquids and being transported off-site in closed containers, are met. However, somewhat more stringent requirements would apply for wipes disposed in a landfill in order to obtain an exemption from RCRA Subtitle C regulations. Currently the draft proposal is being reviewed by the White House Office of Management and Budget. EPA expects to publish the proposal late summer/ early fall, 2003.

Standardized Permit For RCRA Hazardous Waste Management Facilities

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

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

Metal Finishers (F006) rulemaking

The Office of Solid Waste is in the process of developing a draft rule that would provide an alternative regulatory framework for the recycling of F006 electroplating sludges. Instead of having to manage F006 sludges under RCRA Subtitle C hazardous waste regulations, generators and/or handlers of F006 would obtain regulatory relief from these regulations provided they met specified conditions equally protective of human health and the environment. Conditions under consideration include notification to the EPA or authorized State,

proper recordkeeping, ability to exceed a minimum concentration threshold for the recovery of targeted metals, and proper management of the materials from generation to entering the recycling process.

Hazardous Waste Recycling Regulations

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

Recycling of Cathode Ray Tubes (CRTs): 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. See Item C-51

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 early in 2004.

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.

Uniform Hazardous Waste Manifest Update

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

reduce the burden of the manifest by streamlining the form by prescribing one universal form, and, where feasible, by utilizing automated information technologies which facilitate the electronic completion, signing, transmission, and storage of manifest data.

A notice of proposed rulemaking was published on May 22, 2001. The comment period closed on October 4, 2001. EPA received about 60 sets of comments, and the agency is now reviewing and analyzing these comments. The work group resumed meetings in March 2002, and is deliberating now on issues and rule language for the final rule. The Agency will promulgate the final Forms Rule in the beginning of 2004. The Agency has been conducting additional analyses on several key issues related to the E-Manifest Rule, and expects that rule will extend at least another year beyond the schedule for completing the Form Revisions.

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.

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.

Recent Activities

- Amendment of the Threshold Planning Quantity for Isophorone Diisocyanate (IPDI)
- In a 1994, EPA responded to seven petitions requesting action on substances listed as extremely hazardous substances. Among these petitions, EPA was asked to delist IPDI (CAS No. 4098-71-9). EPA denied the petition to delist IPDI. However, in considering this petition, EPA discovered that there was an error in the determination of the threshold planning quantity for IPDI.
- Early this summer, EPA is preparing to publish a final modification to the EHS list to modify the TPQ for IPDI to 500 pounds.
- At the time that we publish the final amendment, we will post information on the CEPPO web site (www.epa.gov/ceppo). We will also send an email message to subscribers to the CEPPO email updates.
- To subscribe to CEPPO e-mail updates:
- Send an e-mail to: listserv@unixmail.rtpnc.epa.gov
- Leave the subject area blank. Type the following in the body of the message
- subscribe EPA-CEPP Your First Name Your Last Name
- Within 24 hours, you should receive confirmation.
- Petition Requesting Deletion of Phosmet

- EPA has received a petition to remove phosmet from the extremely hazardous substance (EHS) list under the Emergency Planning and Community Right-to-Know Act (EPCRA). EPA anticipates publishing a response to address the petitioner's claims.

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

For regulatory questions, contact the RCRA, Superfund & EPCRA Call 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

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

Toxics Release Inventory (TRI) (Update)

The EPCRA Section 313 Program is also referred to as the Toxics Release Inventory or TRI. Under Section 313, facilities are required to report releases and other waste management of specifically listed chemicals 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.

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

Toxics Release Inventory (TRI) Public Data Release

EPA released the 2001 TRI data on June 30, 2003. TRI summary information and data access is available via the web at <http://www.epa.gov/tri/tridata/tri01>. The 2001 TRI Data Release Web site provides fast and easy access to the data overview and relevant TRI information (including tables, charts, maps, and press materials). The TRI data can be accessed using the TRI Explorer (<http://www.epa.gov/triexplorer>) as well as several other public access tools available on the TRI website. EPA also released two electronic publications summarizing the 2001 data: the 2001 TRI Public Data Release (PDR) Report and the 2001 State Fact Sheets. The 2001 TRI PDR Report (EPA 260-R-03-001) provides an overview of the 2001 TRI reporting year data including detailed analyses and supporting tables for TRI releases and other waste management activities; an overview of the persistent bioaccumulative toxic (PBT) chemicals reported to TRI for the second time in the 2001 reporting year; an analyses of the geographic distribution of TRI releases and other waste management activities; and other information relating to TRI data. The PDR report serves as a companion volume to EPA's 2001 TRI State Fact Sheets (EPA 260-F-03-002). The State Fact Sheets provide: a general overview of TRI and the 2001 TRI data by state; a description of the information included in the state fact sheet; and data summary tables. EPA provides this type of analysis as a snapshot of each state's

releases and other waste management activities. Electronic copies of these publications are available via the Internet at <http://www.epa.gov/tri/tridata/tri01>.

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

EPA released the 1999 TRI Data on April 11, 2001. TRI summary information and data access is available via the web at <http://www.epa.gov/tri/tridata/tri99/index.htm>. The TRI 1999 Data Release (TRI99) website provides fast and easy access to the data overview and relevant TRI information (including tables, charts, maps, and press materials). EPA also released two publications summarizing the 1999 data: the 1999 TRI Public Data Release Report; and the 1999 State Fact Sheets. These documents are available on the TRI99 website noted above or by calling (202) 564-9554 or by emailing TRIDOCs@epa.gov (reference EPA 260-R-01-001 for the Public Data Release Report; and EPA 260-F-01-001 for the State Fact Sheets). The Toxic Release Inventory 1999 Executive Summary (11 pp.) is available as Item K-66. The 1998 TRI Public Data Release report was released in May 2000. Similar to the 1999 data access page, the 1998 Data Release (TRI98) website provides fast and easy access to the data overview and relevant TRI information (available at <http://www.epa.gov/tri/tridata/tri98/index.htm>). Both the 1998 TRI Public Data Release Report and the 1998 Public Data Release State Fact Sheets are available on the TRI98 website noted above or by calling (202) 564-9554 or by emailing TRIDOCs@epa.gov (reference EPA 745-R-00-007 for the Public Data Release report; and EPA 745-F00-003 for the State Fact Sheets). The 1998 Toxic Release Inventory (TRI) Data Summary, EPA 745-R-00-002, May 2000 (48 pp.) is available as Item K-64.

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

TOXIC SUBSTANCE CONTROL ACT (TSCA)

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

A rule is being proposed to establish notification procedures for lead abatement professionals conducting lead-based paint activities, and training programs providing lead-based paint activities courses. Specifically, the rule seeks to establish procedures to notify the Agency prior to commencement of lead-based paint abatement activities as required by 40CFR745.227(e)(4). In addition, this rule seeks to establish

provisions which would require training programs accredited under 40CFR745.225 to notify the Agency under the following conditions: (1) prior to providing lead-based paint activities training and (2) following completion of lead-based paint activities courses. FR 1/22/01, Page 7207-16. Item E-58

Lead: Management and Disposal of Lead-based Paint Debris

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

Lead: Requirements for Lead-Based Paint activities in Target Housing and Child Occupied Facilities—Section 610 Review. 40 CFR 745.

In August, 1996, the Environmental Protection Agency promulgated regulation to ensure that individuals conducting lead-based paint activities in target housing and child-occupied facilities are properly trained and certified, that training programs providing instruction in such activities are accredited and that these activities are conducted according to reliable, effective and safe work practice standards. EPA will review this regulation pursuant to section 610 of the Regulatory Flexibility Act. EPA solicits comments on the continued need for the rule; the complexity of the rule; the extent to which it overlaps, duplicates, or conflicts with other Federal, State or local government rules; and the degree to which technology, economic conditions, or other relevant factors have changed since the rule was promulgated. The review RIN # and Docket ID #: 2070-AD65; OPPT-2003-0015. Follow instructions provided in unit H of the preamble to the Spring Regulatory Agenda. FR 5/27/03, Unified agenda, Page 30945.

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 to help businesses and communities better utilize the available environmental technology choices. ETV operates through public/private testing partnerships to verify the performance of commercial-ready private sector environmental technologies in all media, air, water, soil, eco-systems, waste, pollution prevention, and monitoring. By June, 2002, 171 private sector environmental technologies had been verified, 120 additional technologies were in the testing process, and another 142 had submitted applications for testing. Information on the ETV program may be accessed at the ETV web site: www.epa.gov/etv. The ETV program also has a listserv, ETVoice, which sends a brief monthly message to anyone interested in the ETV program highlighting new and updated information on the web site. You may subscribe to ETVoice through the web site. The ETV Program Director is **Teresa Harten** who may be reached at harten.teresa@epa.gov, or at 513-569-7565.

HOLD THESE DATES!!
2004 SBO/SBAP NATIONAL CONFERENCE
APRIL 28—MAY 1, SACRAMENTO, CA

Frequently Requested Publications

Opening Doors for America's Small Business, A New Guide to Help Small Businesses Navigate EPA *

EPA's newest publication, *Opening Doors for America's Small Businesses*, is a great introduction to the key EPA services that are available to help America's small businesses. The publication addresses five critical areas for small businesses including utilizing "one-stop" assistance, improving regulations, managing environmental compliance, encouraging environmental leadership, and preparing for the future. [EPA Document 233-F-02-001] See SBO Item B-18.

Environmental Assistance Services For Small Business, A Resource Guide *

This resource guide has been structured to assist small businesses, state programs, and small business assistance program providers information on the many services available including EPA hotlines, clearinghouses, web sites, virtual assistance centers, training, television broadcast programs, publications, guidance documents, brochures, fact sheets, news letters, and other information sources. [EPA Document 233-B-02-001] See SBO Item B-20

Practical Guide to Environmental Management for Small Businesses

The *Practical Guide to Environmental Management for Small Businesses (Guide)*, produced by US EPA's Small Business Division, is now available! This new publication, based on Environmental Management System (EMS) concepts, is designed to help small businesses organize their environmental management responsibilities in a productive and cost-effective way. The final version of the Guide has been strengthened by the suggestions of SBO/SBAP staff, small business owners, trade and industry organizations, and EMS experts within State environmental agencies and EPA. The guide has been dubbed "the on-ramp to EMS for small businesses," and lauded for its pragmatic, step-by-step approach. [EPA Document 233-K-02-001] See SBO Item B-25.

A Guide for Small Businesses

A booklet entitled *The Clean Air Act Amendments of 1990: A Guide for Small Businesses* was published in 1992. This guide provides small businesses a broad overview of the Act's complex requirements and the effects they are likely to have, in general, on a small business. The guide provides contacts for obtaining additional information. Accompanying the booklet is a four-page summary entitled *What A Small Business Should Know About the New Clean Air Act*. [EPA Document 450-K-92-001] See SBO Item I-36

Revised Small Lab Environmental Management Guide *

See the special announcement on the Guide's availability in this Newsletter. The Guide can also be found and downloaded from the EPA Small Business Ombudsman's Home Page www.epa.gov/sbo and the State Small Business Home Page www.small.biz.enviroweb.org. We have completed a project to update and expand the Guide. There is more comprehensive coverage of environmental management issues affecting small labs. New areas of coverage include radioactive materials and biologically active substances. A summary of hazardous waste management techniques allowing on-site treatment is included, as well as, expanded pollution prevention opportunities, and opportunities for cost efficiencies. [EPA Document 233-B-00-001] See SBO Item B-16.

Little Known But Allowable Ways to Deal With Hazardous Waste Booklet

The EPA has identified a number of allowable ways that small businesses can minimize their hazardous waste on site. This document provides information on five of these methods: 1) Domestic Sewage Exclusion; 2) Elementary Neutralization; 3) Recycling; 4) Treatment in Accumulation Containers; and 5) Burning in Small Boilers and Industrial Furnaces. This Guide provides information and answers the question of whether any of these methods might work for you [EPA 233-B-00-002]. See SBO Item C-2.

Small Quantity Generator Handbook

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

***Large quantities are available for your conferences, mailings, and meetings. Please call the Small Business Ombudsman Hotline at 800-368-5888 to order.**

Small Business by the Numbers

Answers to Frequently Asked Questions

Small businesses . . .

- represent more than 99% of all employers
- employ 51% of private-sector workers, 51% of workers on public assistance, and 38% of workers in high-tech jobs
- represent nearly all of the self-employed, which are 7.0% of the work force
- provide two-thirds to three-quarters of the net new jobs
- produce 51% of private-sector output
- represent 96% of all exporters of goods
- obtain 33.3% of federal prime and subcontract dollars
- are 53% home-based and 3% franchises

Sources: U.S. Department of Commerce, Bureau of the Census; U.S. Department of Labor, Bureau of Labor Statistics; Advocacy-funded study by Joel Popkin & Company; U.S. Department of Commerce, International Trade Administration; SBA Office of Government Contracting.

Q: What is a small business?

A: A business with fewer than 500 employees. For research purposes, the Office of Advocacy uses the small business definition of fewer than 500 employees and provides information for firms of various sizes. For technical purposes such as government contracting, the definition varies by number of employees and by gross revenues. You can learn more from the SBA's Office of Size Standards at (202) 205-6618 or visit www.sba.gov/size/.

Q: How many total businesses are there?

A: About 22.4 million in 2001. Business tax returns totaled 25.6 million in 2001. This number may overstate the number of businesses because, for example, one business may operate more than one taxable entity. Given:

- There were 16.15 million small businesses without employees in 1999, the latest data year for Census Bureau nonemployer statistics, and
- The number of sole proprietorships—roughly equivalent to nonemployers—increased by 1.1 percent in 2000 and 1.6 percent in 2001 (Internal Revenue Service Statistics of Income), and
- There were 5.61 million businesses with employees in 1999 (Bureau of the Census, Statistics of U.S. Business).
By applying the sole proprietorship growth rates to the

nonemployer figures, applying similar growth rates from the Department of Labor to the employer figures, and adding together the resulting numbers for employer and nonemployer firms, the Office of Advocacy finds that 22.4 million is a fair approximation of the number of existing businesses.

Q: How many *small* businesses are there?

A: About 22.4 million. Subtracting the 17,000 businesses that are large (with 500 or more employees) from the 22.4 million total (22.4 million minus .017 million) still leaves a total of about 22.4 million small businesses.

Q: How many businesses do women own?

A: Women were full or part owners of 9 million businesses and the primary owners in 5.4 million of these (Bureau of the Census). The number of women-owned businesses increased by 16 percent over the 1992-1997 period, the most recent period for which comparative data are available.

Number of Firms by Various Measures, 1991–2001 (Millions)

	1991	2000	2001	Annual Change
Nonfarm Firms				
Total	NA	22.06*	22.41*	1.6%
Nonemployers	NA	16.33*	16.59*	-
Employers	5.05	5.73*	5.82*	-
Nonfarm Bus. Tax Returns	20.50	25.11*	25.55*	1.8%

* Estimate.

NA = not available.

Sources: Advocacy estimates using U.S. Census Bureau and U.S. Department of Labor data; U.S. Census Bureau, Statistics of U.S. Business (Advocacy funded); and Internal Revenue Service.

Q: How many businesses do minorities own?

A: In 1997 there were 1.2 million Hispanic-owned firms, 820,000 African-American-owned firms, 913,000 Asian- and Pacific-Islander-owned firms, and 197,300 firms owned by American Indians and Alaska Natives (Bureau of the Census). Over the 1992-1997 period, Native American-owned firms increased 84 percent; Asian-owned, 30 percent; Hispanic-owned, 30 percent; and African-American-owned, 26 percent.

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/adv/>.

Updated May 2002

Q: How many businesses open and close each year?

A: In 2001, of the businesses with employees, about 574,500 (10.0 percent) were new and about 585,800 (10.2 percent) closed (Advocacy estimates). Not all business closings are failures: 57.4 percent of business owners with employees and 38.2 percent of those without employees reported they were successful at closure. In 2001 the number of bankruptcies totaled 39,719, up from the previous year, but below the levels of the early 1990s.

Business Turnover, 1991–2001

	1991	2000	2001	Annual change
New Employer Firms	541,141	604,500*	574,500*	-5.0%
Employer Firm Closures	546,518	560,600*	585,800*	4.5%
Bankruptcies	70,605	35,219	39,719	12.8%

* Estimate.

Sources: Advocacy estimates; U.S. Census Bureau; U.S. Department of Labor, Employment and Training Administration; Administrative Office of the U.S. Courts.

Q: What is the survival rate for new firms?

A: Two-thirds survive at least two years. According to an Advocacy study of businesses over the 1989-1992 period, about 66 percent of businesses with employees remain open at least two years after startup, 49.6 percent are open at least four years, and 39.5 percent are open after six years.

Q: How many new jobs do small businesses create?

A: Two-thirds to three-quarters of net new jobs. The number depends on the years studied and reflects economic trends. In 1998-1999, the most recent data period, small businesses created 1.74 million (67.4 percent) of 2.59 million net new jobs.

Q: What is small firms' share of employment?

A: About 50 percent. Although small firms create more than half of the new jobs, their share of employment has remained steady at about 50 percent because in creating jobs, some small firms become large firms. Of 110.7 million nonfarm private sector workers in 1999, small firms with fewer than 500 workers employed 55.7 million and large firms employed 55 million; smaller firms with fewer than 100 employees employed 40.1 million.

Q: How are small businesses financed?

A: 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. About 55 percent used loans from depository institutions. Forty-five percent had personal credit cards and 33 percent had business credit cards (Federal Reserve Board, *Survey of Small Business Finances*).

Small Firms using Financial Services, 1998

(Percent reporting use of various types of credit)

Credit Type	Total	Owner Type			
	Small	Women	Asian*	Black	Hispanic
Credit Lines, Loans,					
Capital Leases	55.1	46.1	46.4	48.2	52.7
Business Credit Cards	33.3	28.2	26.9	28.8	29.0
Personal Credit Cards	45.1	46.7	52.8	44.1	41.8

* Includes Pacific Islander.

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

Q: How do regulations affect small firms?

A: Very small firms with fewer than 20 employees spend about double the amount per employee spent by larger firms to comply with federal regulations.

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.

Q: Whom do I contact about regulatory impacts?

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

Q: How can I get more information?

A: For more detailed information from the Office of Advocacy, visit www.sba.gov/advo/. Please 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. For technical or financial assistance, call the SBA Answer Desk at 1-800-U-ASK-SBA.

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, 2003

<p>Region 1 Roxanna Adams** Atlantic Awards, Inc 840 Hammond Street Bangor, ME 04401 (207) 942-6464</p>	<p>Leo R. Blais 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>David A. Tibbetts Smith, Segel, & Sowalsky 50 Congress Street Suite 300 Boston, MA 02109 (508) 234-7804</p>	<p>Larry S. Schneider Coldwell Banker 324 Mills Road Newcastle, ME 04553 (207) 563-1146</p>
<p>Region 2. W. Timothy Howes Howes & Howes 26 Anderson Street Raritan, NJ 08869</p>				
<p>Region 3. Frank A. Ursomarso, Sr. Union Park Automotive Group, Inc. P. O. Box 2508 Wilmington, Delaware 19805 (302) 573 5202</p>	<p>Felix J. Jackson DataProbe Technical Service 9722 Groff's Mill Dr., Suite 110 Owings Mills, MD 21117 (443)-831-3047</p>		<p>Martin L. Shaffer American Vending 8 Army Road Clarksburg, WV 26301 23219 (304) 623-5791</p>	<p>Pamela Mazza Piliero, Mazza & Pargament 888 17th St. NW, Suite 1100 Washington, DC 20006</p>
<p>Region 4 George Dobbins, Jr. Southern Communications Systems Five North Third Street Memphis, TN 38103 (901) 523-7236</p>	<p>Douglas McFarland Radio Station 98.9 - Charleston 926 Trowman Lane Mt. Pleasant, SC 29464 (843) 767-8100</p>		<p>R. Bruce McCrory Kiker Corporation 3150 Lees Lane Mobile, AL 36693-5227 (251) 661-1971</p>	<p>Paul Hsu, Ph.D. Manufacturing Technology, Inc. 70 Ready Avenue, N.W. Fort Walton Beach, FL 32548 (850) 664-6007</p>
<p>Region 5. Lloyd E. Falconer Seward Screw Products, Inc. 16377 Third Street Seward, IL 61077 P: 815-247-8411</p>	<p>Lyle J. Clemenson Clemenson Enterprises, Inc PO Box 406 Brookly Park, MN 55445 (763) 425-1167</p>	<p>Irwin G.Haber PDI Ground Support Systems, Inc. 5905 Grant Avenue Cleveland, Ohio 44125 (216) 271-7344</p>	<p>Doug Hilbert Professional Technical Development 3001 Coolidge Rd, Ste 403 East Lansing, MI 48823 (517) 333-9363, Ext. 12</p>	
<p>Region 6. Harold McAlpine Christmas Tree Farm 197 christmas Tree Land Bismark, AR 71929 (501) 865-3731</p>	<p>Elise E. McCullough Staffing Solutions, LLC 1305 Dublin Street New Orleans, LA 70118 (504) 864-9900</p>	<p>A. Joseph Shepard Regent Capital Partners, Inc. 6611 Hillcrest Avenue, #501 Dallas, TX 75205-1301</p>	<p>Jose Cuevas, Jr. JumBurrito 1701 N. Big Spring Street Midland, TX 79701 (915) 520-3529</p>	
<p>Region 7. Clark D. Stewart Butler National Corp 19920 W 161st Street Olathe, KS 66062 (913) 780-9595</p>	<p>Paul Kinyon 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</p>	<p>James J. Ziebarth RR 1, Box 14A Wilcox, NE 68982</p>	<p>Nikki Sells Express Personnel Services 2045 S. Waverly Springfield, MO 65804 (417) 887-8393</p>
<p>Region 8. Alvador Gomez, Jr. Source One Management ,Inc 1225 17th St Suite 1500 Denver, CO 80202 (303) 832-8600</p>	<p>James J. Larsen Sioux Steam Cleaner Corp One Sioux Plaza Beresford, SD 57004</p>			
<p>Region 9. Joseph Cerbone Travis Morgan Sec. 18952 McArthur Blvd Suite 315 Irvine, CA 92612 (949) 261-2906</p>	<p>Frank T. Ballesteros PPEP Microbusiness & Housing 1100 E. Ajo Way, #209 Tucson, AZ 85713 (520) 806-8513</p>	<p>Patricia A. Chevalier Blue Hawaiian Helicopters 105 Kahului Heliport Kahului, HI 96732 (808) 871-8844</p>	<p>Barry M. Gold Barry M. Gold & Co. 2402 Michelson, Ste 225 Irvine, CA 92612-1323</p>	<p>Robert L. Gore Becker Realty Corporation 50 S. Jones Blvd Las Vegas, NV 89107 (949) 260-8070</p>
<p>Region 10. Carl Grossman Public Private Partnerships, Inc. 4800 SW Macadam Avenue, Suite 309 Portland, OR 97239 (503) 219-9500</p>	<p>Milford E. Terrell DeBest Plumbing & Mechanical, Inc 11477 W. President Dr. Boise, ID 83713 (208) 322-4844</p>	<p>Charles Etok Edwardsen PO Box 70454 Fairbanks, AK 99707 (907) 474-3807</p>	<p>Michael Dahmer Systems Associates, Inc. 573 Glacier Drive (PO Box F) Jerome, ID 83338</p>	

*=Chair

**=Vice Chair

EPA's SMALL BUSINESS COMPLIANCE and ENFORCEMENT POLICIES

EPA's Office Of Enforcement and Compliance Assurance uses several policies to respond to the environmental compliance needs of small business.

► SMALL BUSINESS COMPLIANCE POLICY

EPA's *Small Businesses Compliance Policy* (SBO Items # I-13 and B-22) provides small businesses with incentives to participate in compliance assistance activities and programs, or conduct environmental audits. Under this policy, EPA will eliminate or reduce civil penalties provided the small business satisfies all of the following four criteria:

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

Contact: **Jonathan Binder** at (202) 564-2516. Policy is available by calling (800) 368-5888 or online at <http://www.epa.gov/compliance/incentives/smallbusiness/index.html>.

► POLICY ON INCENTIVES FOR SELF-POLICING

EPA's Policy on *Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations* (commonly known as the EPA Audit Policy) (SBO Item # I-13) provides regulated entities of all sizes with incentives to voluntarily discover, disclose, and correct violations of environmental laws and requirements. Under the Audit Policy:

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

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

Contact: **Jon Silberman** at (202) 564-2429. Policy is available by calling (800) 368-5888 or online at <http://www.epa.gov/compliance/incentives/smallbusiness/index.html>.

► ENFORCEMENT RESPONSE POLICY

EPA's *Enforcement Response Policy* (SBO Item # I-13) provides small businesses with a limited grace period to correct violations revealed during requested assistance from a State Small Business Assistance Program (SBAP) established under Section 507 of the Clean Air Act. Under the *Enforcement Response Policy*, two options are provided:

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

Contact: **Jonathan Binder** at (202) 564-2516. Policy is available by calling (800) 368-5888 or online at <http://www.epa.gov/compliance/incentives/smallbusiness/index.html>.

EPA's Small Business Compliance Policy

Purpose of the Policy

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

Who Qualifies to Use the Policy

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

How to Qualify for Penalty Elimination or Reduction

- EPA will eliminate the entire civil penalty* if a small business satisfies all four of the criteria below:
 - ① The small business voluntarily discovers a violation. Violations could be discovered after attending training classes or seminars, receiving on-site compliance assistance, participating in mentoring programs, or using compliance guides or checklists downloaded from the Internet.
 - ② The small business voluntarily discloses the violation within 21 days. This disclosure must be sent in writing to the regulatory agency.
 - ③ Corrections Period - the business corrects the violation and remedies any damage associated with the violation within 180 days of its discovery. However, if the correction will take longer than 90 days, a written schedule will be necessary. For small businesses that are correcting the violation by using pollution prevention technologies, they may have an additional period of 180 days, i.e., up to a period of 360 days.
 - ④ The Policy applies if the:
 - a. violation has not caused actual serious harm to public health, safety, or the environment;
 - b. violation is not one that may present an imminent and substantial endangerment to public health or the environment;
 - c. violation does not involve criminal conduct;
 - d. facility has an appropriate compliance record. The small business has not used the Policy for a violation of the same or similar requirement within the past 3 years and has not been subject to two or more enforcement actions for any environmental violations in 5 years; and
 - e. violation has not already been discovered by the Agency through inspections or citations, or other methods. A legally required monitoring procedure was not violated.

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

*In the rare instance where the small business has obtained a significant economic benefit from the violation(s) (i.e., economic advantage over its competitors), EPA will waive 100% of the gravity component of the civil penalty, but may seek the full amount of any economic benefit associated with the violations. As of June 2003, EPA has never sought to collect economic benefit since the Policy was originally issued in 1996.

Applicability to States and Tribes

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

Information and Location of the Policy

- For questions about the Policy contact Jonathan Binder at (202) 564-2516. The policy is available by calling (800) 368-5888 or on-line at <http://www.epa.gov/compliance/incentives/smallbusiness>. Information about using the Policy and the types of violations that have been disclosed and any disclosures that have prompted EPA to collect economic benefit are posted on the website.

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

EPA Regional Contacts

	<u>Policy Contacts</u>		<u>Small Business Liaison</u>	
Region 1:	Joel Blumstein	617-918-1771	Dwight Peavey	617-918-1829
Region 2:	Ronald Lockwood	212-637-3918	Ronald Lockwood	212-637-3918
Region 3:	Frank Fritz	215-814-2664	David Byro	215-814-5563
Region 4:	Angela Blackwell Carol Baschon	404-562-9527 404-562-9528	Annette Hill	404-562-8287
Region 5:	Bertram Frey Tinka Hyde Jodi Swanson-Wilson	312-886-1308 312-886-9296 312-886-0879	Glynis Zywicki	312-886-4571
Region 6:	Marcia Moncrieffe Efren Ordonez Charles Sheehan	214-665-7343 214-665-2181 214-665-2175	David Gray	214-665-2200
Region 7:	Becky Dolph	913-551-7281	Jan Lambert	913-551-7768
Region 8:	David Rochlin	303-312-6892	Maureen Kiely	303-312-6262
Region 9:	Leslie Guinan George Hays Brian Riedel	415-744-1339 415-744-1399 415-744-1380	Mark Samolis	415-744-2331
Region 10:	Meg Silver	206-553-1076	Robyn Meeker	206-553-7154

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.

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!

New Centers Announced

The EPA announced the launch of two new Compliance Assistance Centers for small- and medium-size businesses in the auto recycling and construction sectors. The new EPA-partnered centers were built for the industry—by industry—to increase understanding and compliance with environmental regulations.

The Environmental Compliance Automotive Recyclers Center (ECARcenter) provides auto recycling businesses with easy access to state and federal environmental rules. A virtual tour provides easy-to-understand information on a variety of topics ranging from handling used antifreeze to wastewater disposal.



The Construction Industry Compliance Assistance Center (CICAcen) helps builders, contractors and developers quickly understand applicable environmental regulations and locate resources to help them comply. Across environmental topics, users will discover clear and concise explanations of applicable regulations and links to state and local regulatory agencies.



ChemAlliance Explores Link Between Plant Security and Pollution Prevention

According to the US EPA, at least 123 chemical manufacturing facilities in the US pose a threat to one million or more neighbors in the event of an accidental release of chemicals. Concerns over potential terrorist attacks against chemical manufacturing facilities have led both EPA and the industry to explore ways to reduce this risk. In response to these efforts, ChemAlliance has added an online presentation entitled "Different Threats, Common Threads: Using Plant Security to Sell Pollution Prevention." The presentation discusses the relationship between pollution prevention goals and efforts to reduce the risk and

consequences of terrorist attack on chemical manufacturing facilities. You may view the presentation at:

www.chemalliance.org/presentations/P2_and_plant_security/.

LGEAN Offers Free Air Quality, Solid Waste Management, and Wastewater Treatment Fact Sheets

Don't miss the Local Government Environmental Assistance Network's (LGEAN) three new fact sheets regarding local government environmental liability relating to **air quality, solid waste, and wastewater**. Parties held liable for environmental violations can face fines, criminal penalties, and litigation. Local governments are as susceptible to environmental liability as any other party, thus they should at least have a general understanding of the liabilities they face. Electronic copies of the fact sheets are available online at <http://www.lgean.org/html/whatsnew.cfm?id=537>. Hard copies can be obtained by calling 877/TO-LGEAN or via e-mail at lgean@icma.org.

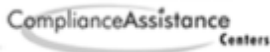


Check Out the Latest EPA Publications Available from the Ag Center

The Ag Center is offering new, innovative EPA publications including four environmental stewardship brochures which illustrate best environmental management practices for livestock agriculture sectors: poultry; beef; dairy; and swine. Visit www.epa.gov/agriculture/anafobrochure to access the brochures. For more information, contact the Ag Center: Toll-Free: 1-888-663-2155 or E-Mail: agcenter@epa.gov. To subscribe to the Ag Center's News Service, send a blank email to: join-agcenter@lists.epa.gov

"S/P2" Online Training Spreads In Automotive Industry CCAR-GreenLink

The S/P2 online training in Safety and Pollution Prevention offered by the Coordinating Committee For Automotive Repair (CCAR) is experiencing a growing acceptance in the industry. S/P2 is being rolled out to more than 1,500 auto repair facilities around the country, including all company-owned locations of Midas International Corporation. For more information, visit www.sp2.org.



The U.S. Environmental Protection Agency has sponsored partnerships with industry, academic institutions, environmental groups, and other agencies to establish Compliance Assistance Centers for 13 industry & government sectors. **These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply.**

Visit all Centers at www.assistancecenters.net

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



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.nmfr.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.pwbr.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



FedSite: Serves as the "first stop" for information about environmental laws and regulations that affect Federal departments and agencies.

www.epa.gov/fedsite



Compliance Assistance Centers

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

National Environmental Compliance Assistance Clearinghouse Adds New Content, Features

The National Environmental Compliance Assistance Clearinghouse (www.epa.gov/clearinghouse/) is pleased to announce recent updates which will be of interest to the technical assistance community:

- ▶ we've added an "Environmental Security" topic to the Topic Directory, to help assistance providers locate resources related to homeland security.
- ▶ in partnership with ChemAlliance, we've launched an improved online discussion board, which technical assistance providers can use to share information, ask questions, and post information about upcoming training events, workshops, conferences and job openings.
- ▶ we've also added an improved news page, which we update on a regular basis with information of interest to the technical assistance community.

Technical Assistance providers who wish to add items to the Clearinghouse news page are encouraged to submit press releases or announcements related to the following subjects:

- ▶ conference, workshop, and regulatory training events which are of interest to the regulated community and the compliance assistance providers who work with them. - announcements of important new web sites, online tools, and other resources of interest to compliance assistance providers - announcements of rule-making events, and related regulatory announcements.

Typical announcements are 100-200 words, and should include a web link (URL) or e-mail address for additional information, as well as the contact information for the sender (in case we need to ask questions about the item). Clearinghouse staff will review each item for appropriateness prior to publishing the item.

If you have a news item you'd like to see published, please contact:

Emily Chow, US EPA Project Manager for the Clearinghouse, National Environmental Compliance Assistance Clearinghouse US EPA Office of Compliance 202-564-7071
chow.emily@epa.gov

WHERE TO CALL FOR MORE INFORMATION AND HELP

EPA SMALL BUSINESS OMBUDSMAN

Toll Free
(800) 368-5888

Local and DC Area
(202) 566-2855

Fax
(202) 566-2848

smallbiz.ombudsman@epa.gov

Homepage www.epa.gov/sbo

asbestos.ombudsman@epa.gov

EPA Web Pages and Hotlines

Phone Number

- National Service Center for Environmental Publications 800-490-9198
(www.epa.gov/ncepihom/) 513-489-8190
- Indoor Air Quality Information Clearinghouse 800-438-4318
(www.epa.gov/iaq)
- Radon 800-767-7236
(www.epa.gov/iaq/radon)
- EPA Energy Star 888-782-7937
(www.energystar.gov)
- Clean Air Technology Center 919-541-0800 (English)
(www.epa.gov/ttn/catc) 919-541-1800 (Spanish)
- Office of Transportation and Air Quality 734-214-4333
(www.epa.gov/omswww)
- Emission Measurement Center 919-541-0200
(www.epa.gov/ttn/emc)
- Stratospheric Ozone Information 800-296-1996
(www.epa.gov/ozone)
- Acid Rain (emission trading, auctions, Information) 202-564-9620
(www.epa.gov/airmarkets)
- Safe Drinking Water Hotline 800-426-4791
(www.epa.gov/safewater)
- National Small Flows Clearinghouse (WV Univ) 800-624-8301
(www.nsfv.wvu.edu)
- Storm Water Phase II Information 202-566-1729
(www.epa.gov/owm/sw/phase2/index.htm)
- Water Resource Center 202-566-1729
- National Solid & Hazardous Waste Ombudsman 800-262-7937
Washington Metro Area 202-566-2920
- Wetlands Information 800-832-7828
(www.epa.gov/owow/wetlands)
- U.S. EPA RCRA, Superfund & Underground Storage Tanks Hotline 800-424-9346
Washington Metro Area 703-412-9810
(www.epa.gov/epaoswer/hotline/)
- Emergency Planning & Community Right to Know Title III (EPCRA) 800-424-9346
- Toxic Substance Control Act (TSCA) Information Service 202-554-1404
- Office of Pesticide Program Registration Division (Ombudsman) 703-305-5446
(www.epa.gov/pesticides)
- Bio-Pesticide Contact 703-305-7973
(www.epa.gov/pesticides/biopesticides)
- National Pesticide Information Center 800-858-7378
([Http://npic.orst.edu/index/html](http://npic.orst.edu/index/html))
- EPA Waste Wise/Waste Reduction 800-372-9473
(www.epa.gov/wastewise)
- Office of Environmental Justice Information Line 800-962-6215
- Chemical Emergency Preparedness & Prevention Office 202-564-8600
(CEPPO) Small Business Liaison
(www.epa.gov/ceppo)
- Small Business Innovation Research (SBIR) 800-490-9194
(<http://es.epa.gov/ncerqa/sbir>)
- EPA Inspector General (IG) 888-546-8740
(www.epa.gov/oigearth)
- Compliance Assistance Centers 202-564-7076
([Http://es.epa.gov/oeca/main/compasst/compcenters.html](http://es.epa.gov/oeca/main/compasst/compcenters.html))
- Small and Disadvantaged Business Utilization 202-564-4100
(www.epa.gov/osdbu)

OTHER WEBSITES & HOTLINES

Phone Number

- Small Business Environmental Home Page (412) 577-2649
(www.smallbiz-enviroweb.org)
- Recycling Hotline (800) 253-2687
(www.recycle.net/recycle)
- National Technical Information Service (NTIS) (800) 553-6847
(www.ntis.gov) (703) 605-6000
- National Response Center for reporting oil spills and hazardous
substance releases (800) 424-8802
Washington Metro Area (202) 267-2675
(www.nrc.uscg.mil)
- Department of Energy (DOE)--National Alternative Fuels Hotline (800) 423-1363
(www.afdc.nrel.gov/hotline.html)
- Energy-efficiency & Renewable Energy Clearinghouse (800) 363-3732
(Operated by the DOE)
(www.eren.doe.gov)
- DOT--Hazardous Materials. (800) 467-4922
(<http://hazmat.dot.gov>)
- CHEMTREC Chemical Transportation Emergency Line, operated by (800) 262-8200
Chemical Manufacturers Association
([Http://chemtrec.org](http://chemtrec.org))
- Center for Management Courses on ISO 9000/14000 (800) 745-5565
www.ceem.com
- National Lead Technical Information Center (800) 424-5323
(www.epa.gov/lead/nlic.htm)
- Small Business Administration (800) 827-5722
(www.sba.gov)
- Regulatory Fairness Boards (SBA) (888) 734-3247
(www.sba.gov/ombudsman)
- Occupational Safety & Health Administration (OSHA) (800) 321-6742
(Worker Safety Referral Services)
(www.osha.gov)
- American Lung Association (800) 586-4872
(www.lungusa.org)
- Consumer Product Safety Commission (800) 638-2772
(www.cpsc.gov)
- Radon Auto Emission & Sun Safety(National Safety Council) (800) 557-2366
(www.nsc.org/ehc/radon.htm)
- INFOTERRA/USA (202) 566-0544
(www.epa.gov/INFOTERRA)
- Government Printing Office (202) 512-1800
(www.gpo.gov/#info)
- National Institute of Occupational Safety and Health (800) 356-4674
(www.cdc.gov/niosh/homepage.html)
- National Environmental Service Center (Water) (800) 624-8301
(www.estd.wvu.edu/netc/netcsc_homepage.html)
- American Association of Poison Control Centers (800) 222-1222
(www.aapcc.org/)

EPA REGIONAL SMALL BUSINESS PROGRAM COORDINATORS

REGION 1	CT, ME, MA, NH, RI, VT	Dwight Peavey	(617) 918-1829
2	NJ, NY, PR, VI	Ronald Lockwood	(212) 637-3413
3	DE, DC, MD, PA, VA, WV	David Byro	(215) 814-5563
4	AL, FL, GA, KY, MS, NC, SC, TN	Annette N. Hill	(404) 562-8287
5	IL, IN, MI, MN, OH, WI	Glynis Zywicki	(312) 886-4571
6	AR, LA, NM, OK, TX	David Gray	(214) 665-2200
7	IA, KS, MO, NE	Janette Lambert	(913) 551-7768
8	CO, MT, ND, SD, UT, WY	Maureen Kiely	(303) 312-6262
9	AZ, CA, HI, NV, GU	Mark Samolis	(415) 947-4273
10	AK, ID, OR, WA	Robyn Meeker	(206) 553-7154

July 2003

EPA SMALL BUSINESS CONTACTS AND PROJECTS

Office of Air and Radiation

Air Control Technology Assistance Center	919-541-0800
Dennis Doll (Satellite Broadcasts/Training)	919-541-5693
Jerry Lawson (Energy Star - Small Business)	202-564-9314
Karen Blanchard (Program Review)	919-541-5503
Kim Teal (Coatings Rules)	919-541-5580
Lalit Banker (Federal Small Business Assistance)	919-541-5420
Racqueline Shelton (New Source Review Program)	919-541-7858
State SBO/SBAP CAAA Section 507 Contacts	Separate listing on page 66
Steven Hitte (Title V Deferrals)	919-541-0886
Tom Eagles (Regulatory Steering Committee)	202-564-1952

Office of Water

Carey Johnston, Lead (Metal Products and Machinery Rule)	202-566-1014
Deborah McCray (Small Systems & Tech. Assist Ctrs-(TACs)	202-564-3843
Jan Pickrel (Pretreatment Streamlining Rule)	202-564-7904
Jim Horne (Environmental Management Systems)	202-564-0571
John Flowers (Water Alliance for Voluntary Efficiency)	202-564-0624
Kitty Miller (General)	202-564-0474
Marta Jordan (Concentrated Aquatic Animal Production)	202-566-1049
Michael Osinki (Point of Contact for Small Systems)	202-564-3792
Paul Shriner (Concentrated Animal Feeding Operations,CAFO)	202-566-1076
Shari Barash, Alternate (Metal Products and Machinery Rule)	202-566-0996
Tom Grubbs (Stage 1 DBPR Small Systems Compliance Guide)	202-564-5262
Wendy Bell (Stormwater Permits/Phase II)	202-564-0746

Office of Prevention, Pesticides & Toxic Substances

Angela Hofmann (Regulatory Steering Committee)	202-564-8833
Beth Anderson (Pollution Prevention Resource Exchange)	202-564-8901
Bob Torla (Biopesticides Ombudsman)	703-308-8098
Chris Kent (Pollution Prevention/P2 State Coordinator)	202-564-8842
David Giamporcaro (OPPT Industry/Small Business Liaison)	202-564-8107
Deborah Savage (Tellus Institute/Environmental Accounting)	617-266-5400
John Cross (Pollution Prevention)	202-566-0157
John Myers (Reg-in-a-Box)	202-564-8624
Karen Chu (Design for the Environment)	202-564-8773
Lena Ferris (Pollution Prevention)	202-564-8831
Linda Arrington (Pesticides Ombudsman)	703-305-5446
Michael Hardy (Antimicrobial Ombudsman)	703-308-6432
Priscilla Flattery (General)	202-564-2718
Sandy Evalenko (SBREFA Panels)	202-564-0264
State P2 Technical Assistance Programs	Separate listing on page 69

Office of Solid Waste and Emergency Response

Anita Cummings (Waste Minimization)	703-308-8303
Breeda Reilly (112r Risk Management Plans, EPCRA 311-312, and Integrated Contingency Plan–“One Plan”)	202-564-7983
Carolyn Offutt (Superfund Brochures)	703-603-8797
Gerain Perry (Regulatory Steering Committee)	202-566-1929
Jackie Tenusak (General)	202-566-1926
Linda Garczynski (Brownsfield)	202-566-2731
Patricia Washington (OSWER Brochures)	703-308-0497
EPA Regional Public Liaison for Superfund, RCRA, OSWER Issues (formerly Regional Superfund RCRA Ombudsmen)	Separate listing on page 71
Terry Grist (Recycling)	703-308-7257
Sammy Ng (Underground Storage Tanks)	703-603-7166

Office of Enforcement and Compliance Assurance

Jonathan Binder (Small Business Policy)	202-564-2516
Ann Stephanos (SBREFA 222 RegFair program)	202-564-4006
Barry Hill (Environmental Justice)	202-564-2515
Beth Cavalier (Supplemental Environmental Compliance)	202-564-3271
Brian Moss (Homeland Security)	202-564-6019
David Nielsen (UST Enforcement)	202-564-4022
Gerard C. Kraus (Steering Committee)	202-564-6047
James Edward (Compliance Assistance General)	202-564-2462
Joanne Berman (Compliance Assistance Plan)	202-564-7064
Jon Silberman (Audit Policy)	202-564-2429
Karin Leff (Compliance Assistance-Cross Cutting Issues)	202-564-7068
Lynn Vendinello (Performance Measurement)	202-564-7066
Nicholas Targ (Environmental Justice)	202-564-2406
Richard Satterfield (Audit Protocols)	202-564-2456
Robert Knox (Environmental Justice)	202-564-2515
Tracy Back (Compliance Assistance Centers)	202-564-7076

Office of Research and Development

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

Office of Congressional and Intergovernmental Relation

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

Office of General Counsel

Debbie Dalton (Dispute Resolution/Reg-Neg)	202-564-2913
Hale Hawbecker (Small Business)	202-564-5546
James Nelson (General)	202-564-5532
Mark Kataoka (Regulatory Steering Committee)	202-564-5584

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

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

Office of Small and Disadvantaged Business Utilization

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

Office of Environmental Information

Alan Margolis (Confidential Business Information (CBI) Rule)	202-566-1644
Amy Newman (TRI Outreach and Web Issues and TRI Regional and State Coordination)	202-566-0723
Bruce Madariaga (Small Business Economic Impact Assessment for TRI Rules)	202-566-0650
Christine Augustyniak (Small Business Economic Impact Assessment for TRI Rules)	202-566-0634
Connie Dwyer (Central Data Exchange)	202-566-1691
Constance Downs (Information Strategies)	202-566-1640
Gail Froiman (PBT Rule Implementation Guidance)	202-566-0677
I Mei Chan (Regulatory Steering Committee)	202-566-2103
John Dombrowski (TRI Compliance Assistance)	202-566-0742
Rick Westlund (Paperwork Reduction Act)	202-566-1682

Office of State/Local Relations

Andy Hanson (Regulatory Steering Committee)	202-564-3664
Janice Berry-Chen (Small Communities)	202-564-7202
Jim Wieber (Small Entities)	202-564-3662
Steve Wilson (Small Towns)	202-564-3646

Office of Policy, Economics and Innovation

Al McGartland (Nat'l Center for Environmental Economics)	202-566-2244
Alexander Cristofaro (Regulatory & Policy Review)	202-564-7253
Angela Suber (Outreach and Assistance Coordinator)	202-566-2827
Brett Snyder (Small Business Economics)	202-566-2261
Catherine Tunis (Voluntary Programs/Measurement/Recognition)	202-566-2830
Cheryl Hawkins (Voluntary Programs)	202-566-2803
Chris Knopes (Project XL)	202-566-2165

Daniel Eddinger (Innovative Approaches)	202-566-2820
Elsa Bishop (Marketing Communities & Training)	202-566-2824
Geoff Anderson (Smart Growth)	202-566-2832
George Wyeth (Environmental Management Systems)	202-566-2203
Gerald Filbin (Community-based Environmental Protection)	202-566-2182
Greg Ondich (Environmental Results Program)	202-566-2215
Jay Benforado (Environmental Innovations)	202-566-2800
James Malcolm (Hazardous Waste/Pesticides--TRI-EPCRA)	202-566-2821
Joan Crawford (Small Business Issues)	202-564-6568
Julie Spyres (Performance Track)	202-566-2885
Karen Brown (Small Business Ombudsman, Small Business Point of Contact & CAA 507 Programs)	202-566-2816
Ken Munis (Regulatory Steering Committee)	202-564-6581
Lanelle Wiggins (Economist--Natl. Ctr for Env. Economics)	202-566-2372
Larry Tessier (Asbestos/Lead/Radon/Indoor Air/Mold)	202-566-2829
Pat Bonner (Customer Service & Public Involvement Policy)	202-566-2204
Paul Lapsley (Regulatory Management Issues)	202-564-5480
Phil Schwartz (Regulatory Agenda & Plan)	202-564-6564
Robert Benson (Industry Sector Based Partnership Programs)	202-566-2954
Sandy Germann (Speech Writer/Innovations)	919-541-3061
Stuart Miles-McLean (Regulatory & Policy Review)	202-564-6581
Tom Nakley (Water/Agriculture)	202-566-2826
Tim Stuart (Performance Track & EMS)	202-566-2946

Regional Small Business Program Coordinators

Dwight Peavey	(Region 1)	617-918-1829
Ronald Lockwood	(Region 2)	212-637-3413
David Byro	(Region 3)	800-228-8711/(215) 814-5563
Annette Hill	(Region 4)	404-562-8287
Glynis Zywicki	(Region 5)	312-886-4571
David Gray	(Region 6)	800-887-6063/(214) 665-2200
Jan Lambert	(Region 7)	913-551-7768
Maureen Kiely	(Region 8)	303-312-6262
Mark Samolis	(Region 9)	415-947-4273
Robyn Meeker	(Region 10)	206-553-7154

Regional Regulatory Contacts

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

Compliance Assistance Coordinators

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



Energy Star for Small Businesses Can Help You Save Energy and Money

EPA has free information and technical support available through its Energy Star program Web site (<http://www.energystar.gov/smallbiz/>) to help small business owners and operators cut utility bills by improving energy efficiency. Small businesses can become “partners” in Energy Star to be eligible for national awards and publication of their success stories, but this information is also available without joining. The Energy Star label also helps businesses to easily choose equipment and appliances that will use less energy. Small businesses that become partners receive a free 100-page guide, "Putting Energy into Profits," or it can be downloaded from the Web site. Partnership is free, requires no reporting, no required efficiency upgrade, and your individual use of the Web site is not tracked. The business is under no obligation, will not be contacted unless they ask, and their information will not be supplied to anyone. Energy Star does not use cookies on its site. 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. Many small business owners who have used the Web site and free help line have cut utility bills by 25 to 30%. New online software tools continue to be developed to help small firms assess, improve, and track energy performance to save money and prevent pollution. More than 7,500 small businesses (and about 1,200 congregations) have already signed up as Energy Star partners. Saving energy helps the environment and saves money, too. Call or log on today!



Small Business Assistance Programs

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

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

Small Business Assistance Program **SBAP**

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

Compliance Advisory Panel **CAP**

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

Small Business Ombudsman **SBO**

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



How Small Is a Small Business?

- 100 or fewer individuals - Clean Air Act definition;
- 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 0-40 depending on the particular state. The average SBAP operates with a staff of two.



Program Budgets

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



Steering the Future of the SBAPs

In 1995, the SBAPs formed a 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

1-800-368-5888

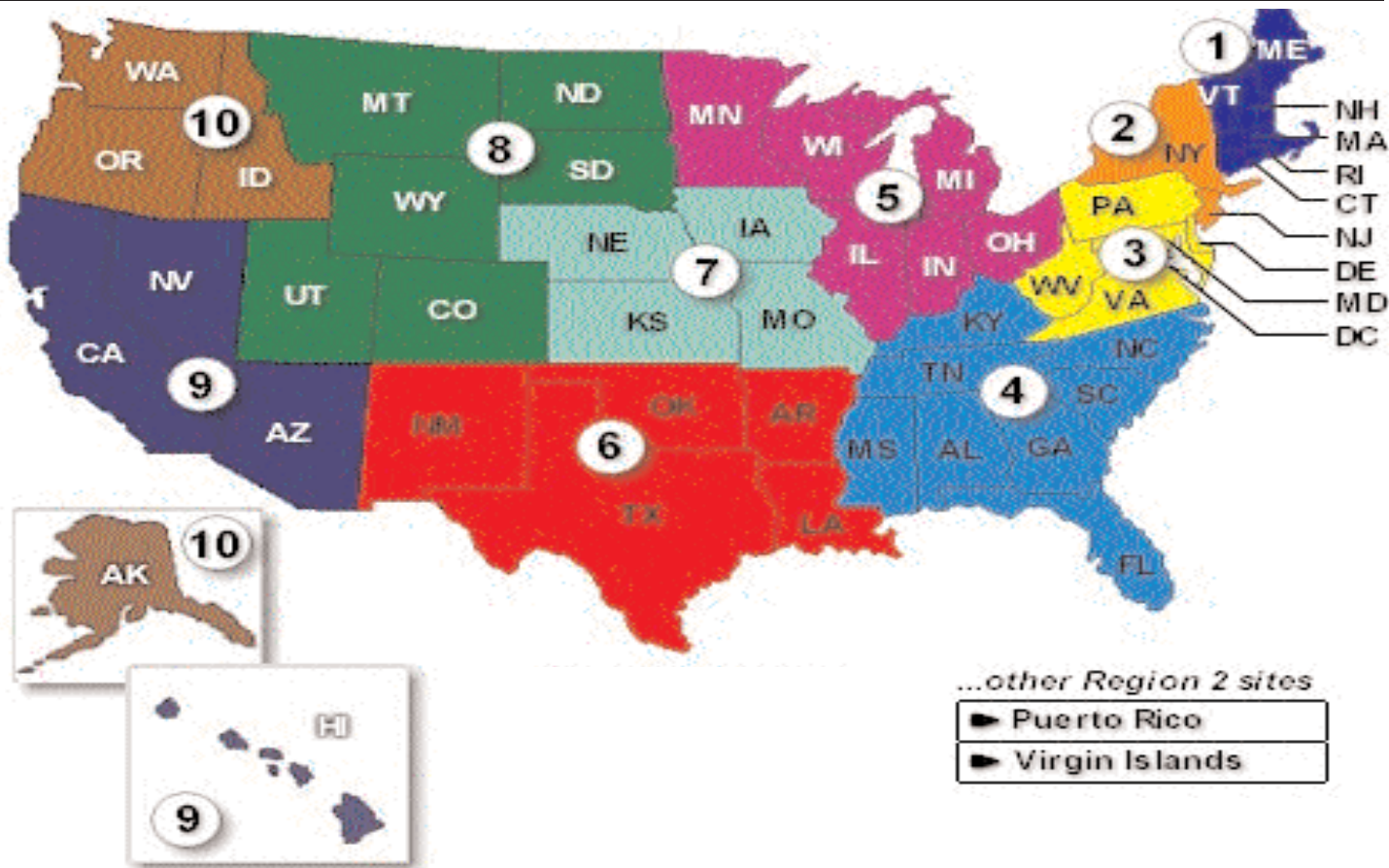
brown.karen@epa.gov

2003 Steering Committee Representatives and Alternates

- Region 1: Ron Dyer (ME)
Judy Mirro (VT)
- Region 2: Jasmine Blyden (VI)
- Region 3: Richard Rasmussen (VA)
Terry Polen (WV)
- Region 4: Tony Pendola (NC)
Willie Morgan (SC)
- Region 5: Phyllis Strong (MN)
Renee Lesjak Bashel (WI)
- Region 6: Darren Morrissey (AR)
Larry Lashley (LA)
- Region 7: Dan Nickey (IA)
Tom Franklin (NE)
- Region 8: Nick Melliadis (CO)
Dan Clark (WY)
- Region 9: Robert White (CA)
Terrell Ferreira (CA)
- Region 10: Sally Tarowsky (ID)
Linda Hayes-Gorman (OR)

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

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



State Pollution Prevention Technical Assistance Programs

New Mexico Environment
Department
PO Box 26110
St Francis Dr.
Santa Fe, NM 87502
Ph: 800/219-6157
green_zia@nmenv.state.nm.us

Oklahoma DEQ
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Texas NRCC
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Gulf Coast Hazardous Substance
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Clean Texas
Rob Borowski
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rob@cleantexas.org

Region 7

US EPA Region 7
Chet McLaughlin
901 N. 5th St. (ARTD/TSPP)
Kansas City, KS 66101
Ph: 913/551-7666
Fx: 913/551-7065
mclaughlin.chilton@epa.gov

P2 Regional Information Center -
P2Rx Center
Rick Yoder
1133 Farnam St. Suite 230
Omaha, NE 68508
Ph: 402/595-2381
Fx: 402/595-2385
contact@p2ric.org

Iowa DNR
Scott van der Hart
502 E. 9th St
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IA Waste Reduction Center
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Cedar Fall, IA 50613
Ph: 319/273-8905
Fax: 319/268-3733
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Iowa DED
Wendy Walker
Ombudsman
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Topeka, KS 66620
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Fx: 785/291-3266
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KSU - P2 Institute
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Missouri DEQ - TAP
David Goggins
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Jefferson City, MO 65102
Ph: 573/526-6627
Fx: 573/526-5808
nrgoggd@mail.state.mo.us

Nebraska DEQ, P2 Office
Stephanie Vap-Morrow
1200 N St. Suite 400
Lincoln, NE 68509
Ph: 402/471-7784
Fx: 402/471-2909
stephanie.vap-morrow@ndeq.state.ne.us

Mid-America Manufacturing
Technology Center (MEP)
Anne Brown
801 Campus Dr
Garden City, KS 67846
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Region 8

US EPA Region 8
Linda Walters
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Peaks to Prairies P2 Info Center -
P2Rx Center
Montana State University Extension
Service
PO Box 173580
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Fx: 406/994-5417
information@peakstoprairies.org

Colorado DHE
Margo Griffin (OE-B2-PPU)
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**EPA Regional Public Liaison for Superfund,
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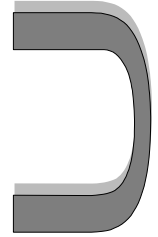
Anchorage, Alaska 99513

(907) 271-6558

FAX (907) 271-3424

Office of Small and Disadvantaged Business Utilization

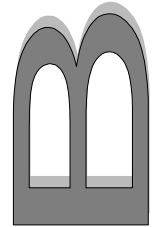
The Office of Small and Disadvantaged Business Utilization (OSDBU), under the supervision of the Director, is responsible for developing policy and procedures implementing the functions and duties under sections 8 and 15 of the Small Business Act as amended by Public Law (P.L.) 95-507 (October 24, 1978) 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

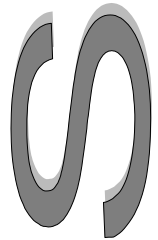
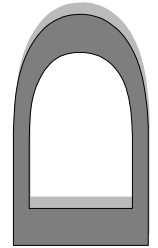
- ◆ Develops policy and procurements impacting socioeconomic businesses
- ◆ Establish and monitor goals for:

Direct Procurement

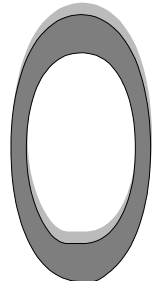
- ☞ Small Business
- ☞ 8(a) Business
- ☞ Small Disadvantaged Business
- ☞ Women-Owned Small Business
- ☞ HUBZone Business
- ☞ Service Disabled Veterans

Subcontracting

- ☞ Small Business
- ☞ Small Disadvantaged Business
- ☞ Women-Owned Small Business
- ☞ HBCUs
- ☞ HUBZone Business
- ☞ Veteran-Owned Small Business
- ☞ Service Disabled Veterans



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



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
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III	Romona McQueen	DE, DC, MD, PA, VA, WV	(215) 814-5155
IV	Rafael Santamaria Matt Robbins	AL, FL, GA, KY, MS, NC, SC, TN	(404) 562-8110 (404) 562-8371
V	Sharon Green	IL, IN, MI, MN, OH, WI	(312) 353-5661
VI	Debora Bradford	AR, LA, NM, OK, TX	(214) 665-7406
VII	Cecil Bailey	IA, KS, MO, NE	(913) 551-7462
VIII	Maurice Velasquez	CO, MT, ND, SD, UT, WY	(303) 312-6862
IX	Kathy Meltzer	AZ, CA, HI, NV, AS, GU	(415) 972-3714
X	D. Lovelady	AK, ID, OR, WA	(206) 553-1770
Cincinnati	Norman White		(513) 487-2024
RTP	Jerry Dodson		(919) 541-2249
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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 enabled developing, emerging and startup firms to strengthen their competitive position in the EPA marketplace. A few other services are available: (NO FEE is required except for special sessions when neither a celebrity consult is engaged or a site cost is encumbered. Hours of operations are 9:00 am until 4:00 pm, you can call for an appointment at (202) 564-4584.

REQUEST FOR PUBLICATIONS

Small Business Division (SBD)

SUMMER 2003

EPA USE ONLY Small Business ____ Asbestos ____

INQ. NO.: _____ DATE: _____ FILLED BY: _____ DATE FILLED: _____

Inquiry Source: [Hotline: Phone _____ Machine _____] Fax: _____ U.S. Mail: _____ Other _____

[Add: ____ Init: ____ Date: ____] [Change: ____ Init: ____ Date: ____] [Delete: ____ Init: ____ Date: ____]

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

Organization: _____

Address: _____ **Date:** _____

City: _____ **State:** _____ **Zip:** _____

IF YOU **ARE NOT ALREADY** RECEIVING THE BI-ANNUAL EDITIONS OF THE "UPDATE" NEWSLETTER AND WISH TO DO SO, PLEASE COMPLETE THIS SECTION (To receive *bi-annual "Updates" and related mailings.*): Yes: _____ No: _____

INDUSTRY: _____ **No. Employees:** 1-99 ____ 100-499 ____ 500-Up__
 (Indicate, or Circle Below)

Consultant	Laboratory	State Govt.	Association	EPA Region:
Attorney	Educational	County Govt.	Individual	Congressional
Engineer	Environmental	City Govt.	EPA Hq.: _____	Other Fed.: _____

PUBLICATIONS REQUESTED (Circle the Corresponding Alpha-Numeric Codes below):

Alpha-numeric codes refer to publications described in "Information For Small Business," available from OSBO upon request.

A- 1	B- 6	C-12	C-45	C-77	D- 3	E-13	E-49	F-6	H- 2	I- 4	I-32	J-12	K-28K-52	
A- 2	B- 7	C-13	C-47	C-80	D- 5	E-14	E-50	F-7	H- 3	I- 5	I-35	J-13	K-29K-53	
A- 3	B- 8	C-14	C-50	C-81	D- 6	E-15	E-51	F-9	H- 4	I- 6	I-36	J-14	K-30K-54	
A- 4	B- 9	C-15	C-51	C-82	D- 7	E-19	E-52	F-10	H- 5	I- 7	I-37	J-15	K-31K-55	
A- 5	B-10	C-16	C-52	C-83	D- 8	E-20	E-53	F-11	H- 6	I- 8	I-38	J-16	K-32K-56	
A- 6	B-11	C-17	C-53	C-84	D- 9	E-21	E-54	F-12	H- 7	I- 9	I-40		K-33K-57	
A- 7	B-12	C-18	C-54	C-85	D-12	E-22	E-55	F-13	H- 8	I-10	I-41	K- 1	K-34K-58	
A- 8	B-13	C-19	C-56	C-87	D-13	E-23	E-56	F-14	H- 9	I-11	I-42	K- 2	K-59	
A- 9	B-14	C-20	C-57	C-88	D-14	E-24	E-57	F-15	H-10	I-12	I-43	K- 3	K-36K-60	
A-10	B-15	C-21	C-58	C-89	D-15	E-25	E-58	F-16	H-11	I-13	I-44	K- 4	K-37	K-61
A-11	B-16	C-22	C-59	C-90	D-16	E-26	E-59	F-17	H-12	I-14	I-45	K- 5	K-38	K-62
A-12	B-17	C-23	C-60	C-91	D-17	E-27	E-60	G-1	H-13	I-15	I-46	K- 6	K-39	K-63
A-13	B-18	C-24	C-62	C-92	D-18	E-28	E-61	G- 2	H-14	I-16	I-47	K- 8	K-40	K-64
A-15	B-19	C-25	C-63	C-93	D-19	E-29	E-62	G- 3	H-15	I-17		I-48	K- 9	K-41K-65
A-16	B-20	C-26	C-64	C-94		E-30	E-63	G- 4	H-16	I-18		K-10	K-42	K-66
A-17	B-21	C-27	C-65	C-95		E-31	E-65	G- 5	H-17	I-19	J- 1	K-11	K-43	K-67
A-18	B-22	C-28	C-66	C-96	E-1	E-32	E-66	G- 6	H-18	I-20	J- 2	K-13	K-44	K-68
A-20	B-23	C-30	C-67	C-97	E- 2	E-33	E-68	G- 7	H-19	I-21	J- 3	K-14	K-45	K-69
A-21	B-24	C-31	C-68	C-98	E- 3	E-34	E-69	G- 8	H-20	I-22	J- 4	K-15	K-46	K-70
A-22	B-25	C-35	C-69	C-99	E- 4	E-36	E-70	G- 9	H-21	I-23		K-16	K-47	K-71
A-23	B-26	C-36	C-70	C-101	E- 5	E-40	E-71	G-10	H-22	I-24	J- 6	K-19	K-48	
A-24	B-31	C-37	C-71	C-102	E- 6	E-41	E-72	G-11	H-23	I-25		K-20	K-49	
A-25	C- 1	C-38	C-73	C-103	E- 7	E-42		G-12	H-24	I-26	J- 8	K-21		
	C- 2	C-39	C-75	C-104	E- 8	E-43	F- 1	G-13	H-25	I-27	J- 9	K-22	K-51	
B- 1		C- 7	C-41	C-76	C-105	E- 9	E-44	F- 2	G-14	H-26	I-28	J-10	K-23	
B- 2		C- 8	C-42			E-10	E-45	F- 3	G-15		I-29	J-11		
B- 3		C- 9	C-43		D- 1	E-11	E-46	F- 5	G-16	I- 1				
B- 4	C-10	C-44			D- 2	E-12	E-47	G-17	I- 2	I-31				
B- 5		C-11					E-48		H- 1	I- 3				

Mail to:
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 Washington, D.C. 20460-0001

Or Telephone:
 Toll Free Hotline: (800) 368-5888
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Asbestos.ombudsman@epa.gov
Smallbiz.ombudsman@epa.gov
www.epa.gov/sbo/pubs.htm

Other Materials Requested:: _____