

SMALL BUSINESS OMBUDSMAN UPDATE NEWSLETTER

United States Environmental Protection Agency
Washington, D.C. 20460

MEMORANDUM

Toll-Free Hotline
800-368-5888
202-260-0490

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

FROM: Karen V. Brown, Small Business Ombudsman

TO: Persons Interested in Small Business Environmental Issues

DATE: January, 1999

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The Clean Water Act and General Assistance

NOTICE TO UPDATE READERS!!!

Please note that this issue of our Update Newsletter is composed of two parts. The first part includes information on EPA's ongoing programs, update information on the Small Business Regulatory Enforcement Fairness Act (SBREFA), points of contact to obtain pertinent and helpful information, phone numbers, and addresses. It is an update on our activities to help small businesses. The second part is an updated list of EPA's publications that are available to you, as well as order forms to request the desired publications. These publications are designed to be helpful, and I urge you to review the list carefully and order those publications that will be of value and interest to you. Additionally, I urge you to retain the second part in your file for further review and use.

Finally, I would appreciate your comments on our publications as to what is helpful and why, and also, as to what additional services we can provide to better serve you with informative material in the future.

We look forward to hearing from You, You, and You.

Sincerely,

Karen V. Brown

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.

CONTENTS

Page		
2	SBREFA Update	25 Pesticides (FIFRA)
4	Fairness Boards	25 Hazardous Waste (RCRA)
5	Y2K Problems	28 Right- to- Know (EPCRA)
7	Chem. Right-to-Know	30 Toxic Chemicals (TSCA)
9	Small Lab. Guide	30 Superfund (CERCLA)
15	Web Page	34 Compliance Asst. Centers
16	Hotlines	37 State Sm. Bus. Assistance
16	Regional Contacts	Contacts
18	Clean Air Act (CAA)	39 P2 Program Contacts
20	Risk Management	42 Procurement Contacts
22	Clean Water Act (CWA)	43 Order Form

RFA/SBREFA UPDATE -- Small Business Advocacy Review Panels

I have used this space in the past to tell you about SBREFA, the Small Business Regulatory Enforcement Fairness Act, which President Clinton signed in 1996 and its author, Senator Christopher Bond of Missouri, likes to call the "Red Tape Reduction Act." One of its requirements states that EPA must convene a Small Business Advocacy Review Panel for certain rules to examine how the Agency is anticipating and minimizing impacts on small entities (i.e., businesses, communities, and non-profit organizations). Under the Regulatory Flexibility Act EPA may certify that a rule, if promulgated, will not impose a significant economic impact on a substantial number of small entities. If the Agency does not plan to make that certification we convene a Small Business Advocacy Review Panel prior to the rule's initial proposal. A Panel has four members: EPA's designated Small Business Advocacy Chair (that's me), the Chief Counsel for Advocacy of SBA, the Administrator of the Office of Information and Regulatory Affairs of OMB, and a senior manager from the EPA office responsible for the subject rule.

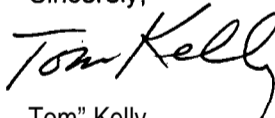
Under SBREFA, each Panel has sixty days to consult with representatives of small entities directly regulated and to pore over all of the rule's implications for those parties. Eventually, the Panel writes a report highlighting the concerns expressed by small entities, and making recommendations to the Administrator of EPA about how best to address them. Neither SBREFA nor the Regulatory Flexibility Act, which it amended, overrides the requirements of the environmental statute authorizing the regulation (e.g., Clean Air Act or Clean Water Act). But these procedural statutes do require that EPA explore whatever flexibility the substantive statutes may allow so that EPA meets its environmental objectives without placing an undue burden on the smallest entities, firms that in some cases may be contributing relatively little to the environmental problem and can least afford to participate in its solution.

In citing the 60-day limit for these Panels, I am not telling the whole story. EPA's outreach to small entities begins long before the Panel ever convenes. In fact, EPA frequently begins its conversations with the smallest parties soon after determining that a regulation will be needed. As a culmination, we typically hold a formal outreach meeting with small entities at least a month before convening a Panel, and OMB and SBA participate in the meeting. At that time we ask Small Entity Representatives to send us their best written comments to support the upcoming Panel. And when the time for a Panel does arrive, EPA provides the Federal members with a fairly extensive summary of what the rule may contain and what small entities have been telling us about it. Because of all this preparation, the Panelists "hit the ground running" before conducting their own small business outreach, and can achieve a great deal of good within the time period prescribed by SBREFA.

So far we have completed 13 SBAR Panels, addressing rules governing both mobile and stationary sources of air pollution, drinking water and underground injection control, and industrial water pollution. While our plans are still far from certain, we may convene several new Panels this Spring. Rules under consideration include the Effluent Limits Guideline for Metal Products and Machinery; Arsenic in Drinking Water. and the National Emissions Standard for Hazardous Air Pollutants (NESHAP) for Reinforced P Composites Production. Sorry for all the words; those in each industry affected are glad for precision in labeling, though!

These Panels are very intensive and time-consuming. Everybody involved works very hard, from the Small Entity Representatives to the many EPA employees involved, to the aggressive advocates representing SBA and OMB. So far, in each case, the Agency has learned some important lessons and offered some significant accommodations to regulated small entities. That's good, because that's what the process is supposed to produce. If you would like to be considered as a Small Entity Representative for an upcoming rulemaking, please let Karen know.

Sincerely,



Tom Kelly
Small Business Advocacy Chair

Six 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 business and other small entities. The Act contains the following six key areas of regulatory reform:

- **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 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, even 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. This process is aided by SBA's Office of Advocacy and the Office of Management and Budget.
- **Oversight of Regulatory Enforcement:** Aida Alvarez, the SBA Administrator, appointed Peter W. Barca, Regional Administrator in the Midwest, as the Small Business and Agriculture Regulatory Enforcement Fairness Ombudsman. She also appointed the members of 10 regional Regulatory Fairness Boards to assist the National Ombudsman in receiving small businesses' comments about enforcement activities of federal regulatory agencies. The five (5) Fairness Board members appointed in each region 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 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 to small business regional and program offices of the regulatory agencies.

Regulatory Enforcement Ombudsman

- Receive comments from small business on compliance and enforcement actions
- Review small business concerns
- Report 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
- Contribute to the annual report to Congress.

For additional information about SBREFA, the Ombudsman, or the Regulatory Fairness Boards, call SBA's toll free 1-888-REG-FAIR or visit our Web site at www.sba.gov/regfair.

SBA REGIONAL SMALL BUSINESS REGULATORY FAIRNESS BOARDS

Regions/Members January 1999

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THE YEAR 2000 PROBLEM

The Year 2000 Problem

The Year 2000 (Y2K) Problem started decades ago when early computers had very limited memory and storage space. One place programmers saved space was the date. They represented years by their last two digits; 1982 was represented and stored as 82, 1995 was stored as 95, etc.

Reducing years to two digits works well as long as the century does not change. As the next century approaches, however, computers that still maintain years as two digits may not recognize that the year 2000 is greater than the previous year. Although a computer may recognize that 99 is greater than 98 (as in 1999. and 1998), it may not recognize that 00 is greater than 99 (as in 2000 and 1999) and may consider it 1900.

How does it affect you and your business?

Data processing systems used in all types of businesses rely heavily on dates and date processing. If the computer code does not recognize that one date is greater than another, it may not be able to process properly and may produce erroneous results. For example, if a loan is entered into a program with a start date of 1998 and a payoff date of 2005 (98 and 05), the program may subtract 98 from 05 resulting in a term of -93 years, rather than 7 years. This problem may put a business at risk because it could affect its cash flow, inventory, taxes, interest calculations, financial forecasting, customer relations; and many other areas, such as:

- manufacturing control systems
- telecommunications
- money transfer and other financial systems
- utilities
- stock markets
- transportation
- national defense
- home computers, security systems, and appliances

You must do something

If you do nothing to fix this problem, your business may fail. Worse, because the year 2000 problem is a foreseeable problem, the officers and directors of your organization could be held personally liable in shareholder suits.

The Federal Government recognizes the important role that small businesses represent in our economy. With estimates predicting that 1% to 7% of US businesses may fail because of the year 2000 problem, the President's Council on Year 2000 Conversion is encouraging all businesses to address the problem as early as possible.

Your business may be at stake

Imagine if you were unable to retrieve your accounts receivable records, or if one of your customers placed an order with you in late 1999 for delivery in early 2000, and that order was lost. Imagine if you could not correctly calculate the taxes or insurance premiums to be withheld for your employees, or if your inventory records were lost.

The year 2000 problem may affect your business in countless ways. Your personal computers may reset themselves to the year 1980 or 1900 because the microchip that maintains the clock/calendar does not recognize 2000 as a valid year. A photocopier that records the count of the number of copies made in a day may stop working in the year 2000 because the microchip may fail to recognize that "00" is a valid year. A security system may fail to operate properly and might allow unauthorized access to your buildings. A preprogrammed fax machine used to send announcements to your customers may stop working after 12/31/1999. A voice mail phone system may fail to record messages from customers or suppliers. A preprogrammed money transfer from a savings into a checking account to cover checks to your creditors may not take place.

A Management Solution

The year 2000 problem is a management problem. The problem extends beyond the technical 'fix'. Money, time and resources must be allocated to make your business Y2K ready. These decisions are business decisions that should involve senior management, Board of Directors and legal representatives.

Business 2000 - The Next Steps?

No business exists in a vacuum. You may have successfully tested all your systems for Y2K readiness but you cannot stop there. Have you talked to your business suppliers and other business partners to ensure that they are ready? Beyond your own business computer systems, there is also the "business supply chain." You buy goods and services from some businesses, and you sell goods and services to others. If your trading partners fail, your cash flow can suffer critically. It is not enough to worry about your own technology - you need to talk to other organizations that are critical to your operation including banks, utilities and equipment manufacturers.

For questions, comments or more information, please contact Karen Brown, Director, Office of Small Business Ombudsman at 1-800-368-5888.

The Small Business Administration has established a Y2K hotline at 1-800-U-ASK-SBA.

Small Business Administration (SBA) loans are available to address Y2K problems. Contact your local SBA office for details.

Sources:

Small Business Administration: The Year 2000 Problem (<http://www.sba.gov/v2Windexnrob.html>)

Small Business Administration: Y2K Self-Assessment and Checklist for Small Business (<http://www.sba.gov/v2Windexcheck.html>)

THE CHEMICAL RIGHT TO KNOW PROGRAM AND SMALL BUSINESSES

What You Need to Know About The Program

U.S. EPA's Office of Pollution Prevention and Toxics

The Chemical Right-to-Know (ChemRTK) Initiative was announced by Vice President Al Gore on April 21, 1998. ChemRTK is a comprehensive new initiative that focuses on three major components. The program is designed to assure that adequate information is available to the public to assess risks for chemicals that are present in the local environments. The program responds to study findings that many commercial chemicals have very little toxicity information that is publicly available and that would be adequate for chemical risk assessment purposes. The project will accelerate the development and dissemination of public health and environmental testing data through three main components:

HPV Challenge Program: EPA will obtain baseline test data on the High Production Volume (HPV) commercial chemicals.

Children's Health Testing: EPA will assure extensive testing on chemicals to which children are disproportionately exposed.

PBT Program: EPA will collect Toxics Release Inventory (TRI) release information on high-priority Persistent Bioaccumulative Toxics (PBT) chemicals.

How will the HPV Challenge Program affect Small Businesses?

EPA is well aware that some of the HPV chemicals are manufactured or imported by small and mid-sized chemical companies. The HPV Challenge Program has been crafted to be flexible and responsive to the concerns of the many different companies and organizations that comprise the chemical industry. Our dialogues with companies and trade organizations have identified particular concerns of small manufacturers, and we have explored adjustments to the Challenge Program to accommodate the needs of small business. We will continue this constructive dialogue as the HPV Challenge Program matures, to ensure that small business concerns are well-represented.

Why is the Program important?

The Chemical Right-to-Know Program is important because it reflects a number of recent developments:

The study, *Toxic Ignorance*, prepared by the Environmental Defense Fund (EDF), raised a variety of concerns about the untested chemicals which are manufactured and imported into the US. It found that baseline data on health effects were not publicly available for many high production volume chemicals. EPA prepared its own study, titled the *Chemical Hazard Data Availability Study*, which found similar results and reinforced the need for government leadership on this issue. Of about 2,800 high production volume chemicals, EPA's review determined that complete health and environmental effects data are publicly available for only about 7% of these chemicals. Finally, the Chemical Manufacturers Association (CMA) also conducted a study entitled *Public Availability of SIDS-Related Testing Data for U.S. High Production Volume Chemicals*, which again reported similar results and indicated the need for action.

The issues of PBTs and the vulnerability of children to toxics have become increasingly important and have pointed to gaps that need additional EPA actions. EPA is in the process of developing proposed rules for

- expanding Toxic Release Inventory (TRI) reporting requirements with regard to Persistent Bioaccumulative Toxics (PBTs) and to require the testing of chemicals to which children have a high likelihood of exposure, but about which we lack sufficient toxicity data to assess the risk of human exposure.

What are the benefits of signing up for this Voluntary Program?

Signing up for the Challenge Program provides an opportunity for recognition as an industry leader on an issue of importance to the public. In the spirit of this right-to-know initiative, the Agency would like to publicly recognize those companies participating in the HPV Challenge Program on its Web Site: www.epa.gov/chemrtk.

Companies with active product stewardship programs recognize the real importance of filling basic data needs on the chemicals they produce. Much, if not most, of this data can be made available by building voluntary partnerships between EPA and industrial leaders, thus avoiding the necessity for writing rules to obtain test data on HPV chemicals. In addition, the voluntary program allows the use of chemical category approaches which provide some flexibility in the tests to be conducted on each chemical in the category; the test rule will not allow that flexibility. Additionally, the outputs of the voluntary program will be detailed study summaries; the test rule will require submission of entire studies for each of the SIDS test needed for each chemical.

What is the time frame for the ChemRTK Program?

Vice President Gore directed EPA to finalize any regulations needed to fulfill these commitments by December of 1999. Actual program implementation and generation of the necessary testing information will continue through 2004. Through both voluntary and regulatory means, EPA will assure that testing and data collection meets the goals set by the Vice President.

The deadline for chemical companies to volunteer for the High Production Volume Challenge Program has been extended until March 15, 1999.

How can you find out more about this Program?

For more information on the ChemRTK Program and to learn of new developments, you may visit our Web Site at www.epa.gov/chemrtk.

How can you express your concerns/issues to EPA on this Program?

You may submit comments on our Web Site (www.epa.gov/chemrtk) or you may contact the Office of Pollution Prevention and Toxics's Small Business Liaison, David Piantanida on (202) 260-2983 or at piantanida.david@epa.gov. I would be interested in hearing any ideas you might have on how we _ ensure that small business concerns are well-represented, so please write me:

David Piantanida
Office of Pollution Prevention and Toxics
Mailcode 7408
U.S. Environmental Protection Agency
401 M Street, SW
Washington, DC 20460



NEW Document Available from EPA!

"Environmental Management Guide for Small Laboratories"

This fact sheet has been prepared to provide information about a new document on small chemical laboratory environmental issues.

What is a "laboratory?"

The word "laboratory" (or "lab") is generally used to describe a facility that conducts experimental or routine testing. Most people associate labs with activities involving chemicals.



Although there are some large lab organizations, such as research and development functions in corporations and government, **most labs are small businesses or small entities within larger organizations.**

For example, many communities have at least one independent testing lab with 10 or fewer employees. These local labs may test a wide range of environmental, physical material, medical, biological, or food samples. A review of your local telephone directory often reveals a surprising number and variety of labs. At most small labs, environmental management is a "shared" responsibility as opposed to that of a single individual.

Common small lab types include:

- Clinical labs associated with medical or dental practices:
- Forensic testing labs.
- Environmental testing labs.

- QA labs for chemical or other manufacturing plants.
- Teaching and academic research labs (grade school, high school, and college).

In each of these cases, it is useful to think of the lab as a small business that either operates on its own or is "captive" to a larger organization. The environmental aspects of "captive" labs should be evaluated independently because lab staff and activities are often very different from the rest of the organization or business they are associated with.

To help protect workers from the diversity of chemical hazards in labs, The Occupational Safety and Health Administration (OSHA) established the "Lab Standard" in 1990; OSHA estimated there **are about 35,000 labs in the U.S.** Given this number, it is probably safe to assume that most states have hundreds of labs.

What environmental issues occur in labs?

Unlike other small businesses such as printers, auto shops, and dry cleaners, which tend to generate large quantities of a few pollutants, labs typically generate small quantities of a wide variety of pollutants. This characteristic requires careful attention in dealing with labs on compliance and on pollution prevention issues.

In fact, because of this characteristic, the term "lab pack" was coined years ago by hazardous waste firms to describe a typical method of waste handling. In a "lab pack" a number of small containers (i.e. jugs and bottles) of hazardous waste, are individually packaged in a traditional 55 gallon drum. Although "lab packs" appear inefficient compared to combining all materials, they make sense because it is unwise, for safety and legal reasons, to encourage mixing different lab wastes in a single container.

Like many other small businesses, labs have environmental challenges and opportunities associated with air quality management, wastewater management, and hazardous waste management. Some examples follow:

- States and local municipalities often regulate wastewater discharges and may also regulate lab fume hood exhausts through a permitting system. The uneven natural patchwork of regulations requires each lab situation to be carefully evaluated.
- Many labs perform "sink disposal" of waste materials. Though legal in many cases, this practice is still not necessarily the best environmental management

choice .

- Labs may resist using recycled materials, especially solvents, in analyses due to concerns about compromising test result quality. Because the results of testing are used to make decisions that often have severe financial or legal consequences for their customers, labs are typically focused exclusively on quality and may be resistant to material or process changes.
- Labs often must follow standard test methods and therefore cannot easily deviate in procedures or materials.
- Labs often stockpile samples (which may be hazardous) and aged chemicals, until there is no longer sufficient storage space. When this happens, labs may have a “Spring Cleaning” which could temporarily catapult them into a higher RCRA generator class and cause unnecessary disposal costs and paperwork. Some states, like California and Washington, have special lab-based regulations or assistance programs that may also occur elsewhere. These programs are not well publicized.



In general; labs present a unique environmental compliance and pollution prevention situation that is very different from any other small businesses needing assistance.

More special issues about labs

There are a number of additional concerns about labs that readers should be aware of. Among the most important are:

- Unique health and safety

concerns associated with site visits. Visitors should be especially cautious during a lab site visit because special training is often needed to work within a lab. Consider, for example, that lab workers have the second highest rate of HIV/AIDS infection from occupational exposure among all professions (after nurses).

- Lab workers tend to be highly educated compared to many other small business types. Thus it would not be unusual to provide assistance to workers with advanced college degrees, some of whom may have uniquely advanced knowledge of chemicals and reactions.
- Academic or teaching labs provide a special opportunity to provide training. In these labs, students are learning, for the first time, how to deal with chemicals. It is important that they also learn, at the same time, how to handle these materials in a way that does not cause pollution. Environmentally responsible work habits learned in an academic lab will hopefully be taken elsewhere in the job market.



Finally, because there is no single association representing all labs, it is difficult to reach them effectively. Conversely, it is difficult for the labs to learn about the resources EPA and states can offer.

What EPA resources are available?

EPA recognizes the unique environmental challenges associated with small lab

operations and has developed a document titled, “Environmental Management Guide for Small Laboratories” (Guide).

The Guide offers the following:

Small Lab Characterization and Applicable Regulations: A summary of lab activities and the federal regulations that typically affect these activities, Key topics include lab waste management, lab air quality management, and lab wastewater management.

Self Assessment Tool: A set of questionnaires that labs or others can use to assess relative environmental status in the key areas mentioned above. With an emphasis on pollution prevention, these tools should be useful to labs of all types and sizes.

Directory of Applicable Resources: Although there is a lot of information available on labs, much is not relevant to the environmental issues associated with small chemical labs. This directory contains a listing of books, newsletters, meetings, and Internet sites that should be useful for anyone interested in the subject. Each source has been screened for relevancy.

The Guide is available from:

**Small Business Ombudsman
Office of Policy Planning, and
Evaluation (2131)
U.S. Environmental Protection
Agency
401 M Street
Washington, DC 20460
2021260-0490**

Ask for document:
EPA 233-B-98-001

Sustainable Industry Program Offers Opportunities for Small Businesses

New Approach Creates incentives and Removes Barriers for Firms to Achieve Environmental Results



EPA's growing **Sustainable Industry Program** is a new approach to policy development that is helping small business-dominated industries get better environmental results, often at lower cost and with less regulatory hassle.

Our program—one of several sector initiatives within the agency—is based on the premise that by studying an industry in close cooperation with its decision-makers, government regulators will gain a better understanding of the sometimes not-so-apparent reasons why firms embrace or resist actions to protect the environment. Once we know *why* business and environmental decisions are made, EPA can shape policies that take advantage of incentives for exceptional performance and overcome obstacles to success. The result is a roadmap to long-term environmental improvement by businesses acting in their own interest.

WHO WE ARE, HOW WE WORK

We are the **Industry Sector Policy Division** in EPA's Office of Policy Development. Our mission is to help industries improve environmental performance while easing the costs and other burdens of regulation.

We begin by identifying sectors where there appear to be substantial opportunities for further progress in cutting pollution impacts. If an industry is well represented by trade associations and shows interest in technical and management innovations, then it is a promising candidate for a Sustainable Industry partnership. Sectors currently in the program have a high proportion of small businesses.

Once we form a partnership, EPA and industry representatives study all the factors that affect environmental performance. We then join forces with others who have a stake in the project (e.g. non-government interest groups & state agencies) to look for solutions. Businesses and government test promising ideas in pilot projects. Stakeholders evaluate results. If the innovations prove effective, we work for their adoption.

BENEFITS OF PARTICIPATION

Both industry and government are winners in this program. Industry changes might come in the form of better management practices or new technologies. Changes by government could be revised rules, a shift from regulations to voluntary programs, or streamlined process requirements — all designed to achieve better results. Experience shows that the simple process of learning and cooperating yields benefits to all partici-

pants. Some examples:

- Better working relations between industry, government (all levels), and interest groups. *Constructive dialogue builds trust.*
- Better knowledge of the industries and the views of those who work in or with them. *Sharing perspectives and ideas leads to greater understanding of opportunities.*
- Partnership in solving problems. *Test new approaches, new tools and technologies.*
Smarter programs that achieve cleaner and cheaper results. *More effective environmental protection with less oversight.*

CURRENT SECTORS

Sustainable Industry projects have been under way for several years with the metal finishing, batch chemical manufacturing, and photo processing sectors.

The Metal Finishing Strategic Goals Program has set voluntary “beyond compliance” performance goals for facilities along with a goal for government to reduce regulatory compliance costs.

The New Jersey Chemical Industry Project is undertaking initiatives in water effluent trading, compliance assistance and materials recycling, plus a “flexible track” approach for facilities with good compliance records.

A program with *the Photo Processing Industry* is testing pollution prevention impacts of a voluntary code of best management practices for silver use.

New were launched in 1998 with national *Specialty Chemical Manufacturing*, *Food Processing* (meat processors), *Metal Casting* (foundries and die casters), and *Travel & Tourism* (mountain resorts) sectors. EPA is visiting facilities and conducting interviews to learn about factors that affect environmental performance in these industries.

EPA also is exploring how to overcome barriers to the development and use of promising *environmental technologies* in a yet-to-be-determined sector.

FOR MORE INFORMATION, CONTACT:

Industry Sector Policy Division (2128)
U.S. Environmental Protection Agency
Washington, DC 20460

ATTN: Bob Benson, Director
(202) 260-8668
benson.robert@epa.gov

Project XL and the Small Business Assistance Program: A Unique Opportunity for powerful Synergy

Having spent five years in the Small Business Ombudsman (SBO)/Small Business Assistance Program (SBAP) for the Commonwealth of Massachusetts, and having recently made the move to EPA's Region 1 office in Boston, I'm excited about some of the things I've learned, especially about Project XL.

You may have heard of Project XL, but you may not know much about it. XL was developed by the Clinton/Gore Administration in 1995, and it stands for excellence and Leadership. It involves inviting industry and others to find EPA regulations, policies, or procedures that don't work as well as intended in a particular context. We've even had some people tell us that the regulations actually prevent them from doing a better job environmentally. XL looks at that situation as an opportunity to try something new. EPA works with the person who is suggesting an alternative path, called a project sponsor (a company, industrial sector, state, community, federal facility, trade association, etc.). Together with the relevant state, we attempt to determine if there's a way that the particular requirement could be changed, so it would make better sense AND provide even better environmental protection. If so, we help the project sponsor put a pilot project together and work with those people who would have a stake in the project's outcome (stakeholders!). If the pilot is successful, EPA then changes that particular requirement or approach for everyone's benefit. Sounds almost too reasonable to be true, but that's how XL works

Let's look at a real life situation that's happened in Massachusetts, and you'll see how Project XL worked to resolve some tough issues for small business and for regulatory agencies. Massachusetts is known for some pretty tough environmental regulations. For example, air permits are required, if a facility has the potential to emit (PtE) over 1 ton/year of VOCs. Now, one ton is small, but one ton potential emission is teeny! There are also tough wastewater permitting as well as hazardous waste requirements. Now consider some of the small businesses, such as dry cleaners, printers and photo processors. Most of those shops would probably exceed a 1 ton PtE threshold, but few of them had the necessary permits, or even realized they should have them. Now look at the numbers: about 10,000 shops in Massachusetts alone. How would an agency be able to do the outreach, permitting and enforcement that would be required to bring all those small businesses into compliance? How would the businesses come into compliance without fines or penalties?

The Massachusetts Department of Environmental Protection (DEP) and the Office of Technical Assistance (OTA) recently completed the Massachusetts Printers Partnership (MP2). The project replaced permitting requirements for small and medium printers with a self-certification program. The requirements are covered in a very simple workbook and taught in workshops. Over 25% of the industry signed on for the voluntary program and everyone was pleased.

At the same time, the DEP was planning the Environmental Results Program (ERP), which used the same mechanisms as the Massachusetts Printers Partnership (MP2), but was planning to apply the program to a range of industry sectors. But to make this work, they needed a blueprint for regulatory flexibility from EPA to enable these sector projects within reasonable time frames. An XL Project was crafted, spelling out the anticipated regulatory flexibility mechanisms, the tracking and enforcement mechanisms, and how we would measure the superior environmental performance required of every XL project. It wasn't an easy task, but it got done. The Massachusetts ERP became the 10th XL project on the national scoreboard in October of 1998. Almost 10,000 businesses got reasonable, plain language rules, the agency got a pass on permitting 10,000 facilities, and there were measurable environmental benefits from the increased awareness and compliance. Everyone got what they needed.

You may wonder, if Project XL is that intriguing, why are there only ten projects so far? Some of it had to do with everyone having to learn how to do such a breakthrough, never-before-done program and some of it had to do with running into unforeseen management and coordination problems, making the process too slow and difficult. But the Office of Reinvention in EPA has worked hard and closely with a group of dedicated stakeholders from all over to improve the program. The result has been much shorter project development times due to, for example, clearer process guidance and streamlined procedures. You can find descriptions of these improvements in documents like *Project XL: Best Practices for Proposal Development*, and *Enforcement Screening-Guidelines for XL Projects*.

So, if you think there's an opportunity for "reinventing" a regulation or policy that doesn't seem to work well for your business or a particular industry and you have an innovative alternative, (although keep in mind we can't change statutory requirements), call your regional EPA office (if you know where that is located) or EPA Headquarters at 202-260-5754. You can also check out the Project XL web site at www.epa.gov/ProjectXL (one word!) and you'll find lots of information there on the program.

George Frantz, EPA Region 1 New England XL Coordinator
(ph) 617-918-1883 (fx) 617-918-1810 (eml) frantz.george@epamail.epa.gov



The One Stop Program

Partners In Reinventing Environmental Information Systems

One Stop Snapshot

The One Stop office, under the Associate Administrator for Reinvention, operates a program to build and support State/EPA partnerships in Reinventing Environmental Information (REI). This program is concerned with information systems, that is, with how information is collected, formatted, stored, integrated, accessed, packaged, and distributed. Program goals include: reducing reporting burden on industry and regulators, fostering multimedia and geographic approaches to problem solving, and enhancing public access to information.

Motivations

Many different factors now impel fundamental changes in the way EPA gathers and disperses information,

Among the most influential of these change agents are: customer-service and public-access initiatives, streamlining and re-engineering commitments, new capabilities in electronic communications, burden-reduction goals, and concerns about public health and environmental justice. Official policy clearly recognizes the Agency's need to improve its information collection and delivery systems.

For instance, Administrator Browner designated the Public's Right-to-Know as one of the ten major goals of the Agency under GPRA.

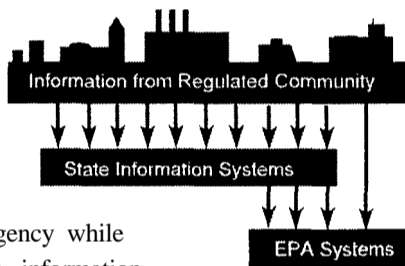
At the same time, the importance of working as well-coordinated partners with state environmental offices has never been greater.

Critical State Partners

Federal environmental-protection efforts rely greatly on work done at the state level. Environmental information and data-without which EPA could accomplish little-are largely gathered by, and mainly channeled through, state agencies.

To do its job right, EPA must have access to environmental information via systems that are both useful and efficient. "Useful" in that they give us the data we need to conceptualize, design, and evaluate our programs. "Efficient" in that they improve the effectiveness of the Agency while minimizing everyone's information gathering, processing, and reporting burdens. These systems must produce a clear and consistently reliable picture of environmental conditions across the country, despite being operated by hundreds of state and local agencies.

Obviously, close cooperation with the states is paramount.



Inescapable Changes

The states, driven by their own needs (to determine ecological impacts, retain their property-tax base, serve the public, etc.), are now in the process of reinventing their environmental-information systems. To compete for new industries and to provide healthy communities for their citizens, they *must* make their systems more useful and less burdensome. Ideally, EPA should serve as a model for transitioning to well-integrated, easy-to-understand, and publicly accessible information systems. At the least, the Agency must move in tandem in its state partners, and be prepared to coordinate and guide the process as necessary.

One Stop Start

The initial impetus for what is now the One Stop Program was "High Priority Action Item # 10" of

the National Performance Review as stated in the March, 1995, document: *Reinventing Environmental Regulation*. Therein, EPA was directed to consolidate environmental reports and provide 'one stop' reporting for the regulated community." In addition, the Agency was instructed to "provide easy public access to this environmental information." The action item recognized that: "Achieving this goal will require a fundamental re-engineering of

how EPA, the states, and the regulated community manage information." At the Common Sense Initiative Council meeting in July 1997, Administrator Browner announced the Agency's initiative for "Reinventing Environmental Information" (REI), which would pursue the establishment of standards for environmental data-i.e. a common technical language-and provide access to electronic reporting of that data to

all who wished to use it. These reforms were to be implemented in all of the Agency's national data systems and would require working "in partnership with the states through the One Stop Program." In the wake of this announcement, an EPA work group developed the REI *Action Plan*, which

the Administrator and Deputy Administrator officially approved on February 4, 1998. This plan commits EPA to achieving specific reforms by specific dates. The approval memo directs "each National Program Manager to ensure that all REI deadlines are met . . . and that any other necessary and appropriate steps to fully implement the *Plan* are taken." The memo points out that "REI, together with the many other EPA efforts to improve the quality, efficiency, and accessibility of environmental information systems, must be carried out in partnership with states if they are to succeed." The principal forum for the states and EPA to develop joint policies and programs will be an Information Management Work Group staffed by EPA senior leadership and the Environmental Council Of the States (ECOS).

The REI Action Plan is an enormous step forward in our efforts to employ information as a powerful tool for protecting public health and the environment while reducing the reporting and data-management burden imposed on American businesses, communities, and our partners at all levels of government.

***-Browner/Hansen memo,
February 4, 1998***

The ECOS Factor

The Environmental Council Of the States (ECOS) is the association of the commissioners of the state and territorial environmental offices/departments.

"Environmental commissioners are usually the central environmental information point within a state and uniquely situated to affect the speed, skill, cost, and effectiveness with which our nation deals with environmental problems." ECOS is a young organization, having only been established in 1993, yet it has made considerable progress in improving interstate cooperation and coordination in the management of environmental programs. ECOS recently created a Data Management Subcommittee which met with a delegation of EPA Headquarters and Regional officials this past January. From this meeting came a draft agreement chartering a joint

ECOS/ EPA Information Management Work Group; an agreement on goals for improving the collection, management, and use of environmental data; and a set of principles that will guide the work of EPA and the states. The agreement includes commitments to develop integrated information systems based on data standards, new electronic reporting capabilities, and improved public access. It is clearly no coincidence that these goals are in harmony with the REI Action Plan.

The Work Group consists of six senior executives from EPA and six state representatives. The current co-chairs are Brent Bradford of Utah and Chuck Fox, EPA Assistant Administrator for Water.

Steps Taken

A key strategy for One Stop is to seek out state partners who are on the leading edge of reporting and data-management reform and give them a \$500,000 grant to leverage their existing investment in

(1) reducing the reporting burden on industry and communities, with an emphasis on universal access to electronic reporting, (2) fostering multimedia and geographic approaches to problem solving, and (3) providing the public with meaningful, real-time access to environmental data.

Currently, 21 states have received these One Stop grants. EPA's goal is to have all 50 states participating by the end of FY 2003.

Salient progress is being made on getting everyone

to speak the same data language. A standard way of identifying facilities has been developed and is undergoing public comment. This "facility ID" is the foundational data element for all other standard-setting progress. Work is proceeding on five other high-priority standards: Year 2000 date, SIC code, latitude/longitude, biological taxonomy, and chemical identification.

Learn more at www.epa.gov/reinvent/onestop

Challenge Accepted

The number and diversity of participants involved in deciding on any changes make the task of reinventing information systems a particularly challenging one. Nevertheless, the momentum of state reforms cannot be

ignored, and the commitment of EPA's senior management cannot be denied.

The only remaining questions are: how quickly, how smoothly, and how painlessly can we effect these changes?

SMALL BUSINESS ENVIRONMENTAL HOME PAGE

The Small Business Environmental Home Page on the internet continues to benefit the small business community and the Section 507 programs. This web page has been developed and is being maintained by **Concurrent Technologies** Corporation--Pittsburgh Office under grant and cooperative agreement funding provided by U.S. EPA SBO.

The Home Page was developed in response to requests from the State's Section 507 programs and the Small Business Community for assistance in centrally distributing and exchanging information about their program activities, and for efficiency in locating EPA, state, and other information focused on small businesses. The Home Page is intended as a source of information for the state small business assistance programs, trade associations, and small businesses. The page is updated regularly and incorporates suggestions from the user community.

For those who have not visited the Small Business Environmental Home Page lately, please check it out again! The links and resources on the home page are constantly being updated, and the following have recently been added/improved:

- A new section on performance measurement tools and success stories has been added to the Small Business Assistance subpage to enable States to review and directly download, revise, and use tools from other States and EPA. Please note that this section is under initial development right now, so stop by often to see new changes!
- The videos searchable database now has over 380 videos on health and safety training, environmental information, and small business assistance!!
- The publications searchable database now includes approximately 1,000 directly linked publications and fact sheets! (Note that the number may fluctuate due to changing/lost links, duplications, etc.)
- The upcoming events searchable database is on line and a "send us your event" form is available for easy inclusion of your events! Coming soon are on line forms for users to submit information for the publications and videos databases.
- Photos from the 1998 State SBO/SBAP National Conference held in Scottsdale, Arizona have been posted on the Small Business Assistance subpage!
- A copy of EPA SBO's **Environmental Management Guide for Small Laboratories** (July 1998) is now directly downloadable from the Small Business Assistance and Links by Industry Sector subpages, as well-as from the publications database.
- *Coming* soon is a new way to share and find state news!
- You can, at any time, find out what's been added/revised on the Home Page by clicking on the **What's** New button!

In addition to the newer features of the home page described above, the Small Business Environmental Home Page continues to include: links to state environmental agencies and small business assistance program web sites, SBO update newsletters, key Compliance Advisory Panel (CAP) contacts and meeting information, links to state environmental newsletters and funding information subpages, compliance information (including monthly regulatory updates, environmental reporting calendar and requirements checklist, law summaries, links), EPA and small business assistance program contact lists, links to trade associations and listing of trade association contacts, summaries and links to new small business initiatives and policies, industry sector links, funding help, and links to environmental and other helpful sites. Also included is a mechanism to search the Home Page. Users are encouraged to provide information on events, news, contacts, publications/fact sheets, videos, CAP information, performance measurement tools and success stories, and corrected/new links to include on the Home Page, and any comments and suggestions about the Home Page to Audrey Zelanko (zelankoa@ctc.com and audreyz@ccia.com; 412/826-6807). The Small Business Environmental Home Page is located at the following URL:

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

WHERE TO CALL FOR MORE INFORMATION AND HELP

EPA SMALL BUSINESS OMBUDSMAN

Toll Free
(BOO) 368-5888

Local and DC Area T.D.D.
(202) 260-1211 (202) 260-1258
Homepage <http://www.epa.gov/sbo>

Fax
(202) 401-2302

OTHER EPA HOTLINES

- National Center for Environmental Publications and Information . . . 1(800) 490-9198 (513) 489-8190
- Indoor Air Quality Info Clearinghouse . . (800) 438-4318
- EPA Energy Star (888) 782-7937
- Clean Air Tech. Center (919) 541-0800
- Mobile Sources (Emissions) (734) 214-4333
- Emission Measurement Center , (919) 541-0200
- Stratospheric Ozone Information (800) 296-1996
- Acid Rain (emiss trading, auctions, Info) (202) 564-9620
- Safe Drinking Water (public water (800) 426-4791 supply, technical and regulatory issues)
- Waste Water/Small Flows (800) 624-8301 Clearinghouse (WV Univ)
- Storm Water Phase II Information , (202) 260-5816
- Watershed Info. Resource System (800) 726-5253
- Water Resource Center. (202) 260-7786
- Wetlands Information (800) 832-7828
- Pollution Prevention Info Clearinghouse (202) 260-1023
- National Solid and Hazardous Waste . . (800) 262-7937 Ombudsman (202) 260-9361
- Solid and Hazardous Waste (RCRA), . . (800) 424-9346 Superfund (CERCLA, and Underground (703) 412-9810 Storage Tanks (UST)
- Emergency Planning & Community . . . (800) 535-0202 Right to Know Title III (EPCRA) (703) 412-9877
- Toxic Substances Control Act (202) 554-1404 (TSCA) & Asbestos Information
- Office of Pesticide Program (703) 305-5446 Registration Div. (Ombudsman)
- Antimicrobial Ombudsman (703) 308-6214
- &o-Pesticide Staff Assist (703) 308-8098
- National Pesticide Telecomm. Network (800) 858-7378
- EPA Waste Wi\$e/Waste Reduction . . . (800) 9473
- Brownfields (888) 795-4684
- Office of Environ. Justice (800) 962-6215
- Office Pollution Prevention Toxics . . . (202) 260-2983 OPPT Small Business Liaison

- Chemical Emergency Preparedness and Prevention Office CEPPO Small Business Liaison (202) 260-7952
- Small Bus.Innovation Research (SBIR) . (800) 490-9194
- National Environmental Training (800) 624-8301 Center for Small Communities
- EPA Inspector General (202) 260-4977

OTHER HOTLINES OR OTHER HELP LINES

- Recycling Hotline (800) 253-2687
- a National Technical Information (800) 553-6847 Service (NTIS) (703) 605-6000
- a National Response Center/US Coast . . . (800) 424-8802 for reporting oil spills and hazardous substance releases) (202) 267-2675
- a Department of Energy (DOE)--National . (800) 423-1363 Alternative Fuels Hotline
- a Energy-efficiency & Renewable Energy. (800) 363-3732 Clearinghouse (Operated by the DOE)
- a DOT--Transportation of Haz. Mater. . . . (800) 467-4922
- a CHEMTREC Center Non-Emergency Svc. (800) 262-8200 (operated by the Chemical Manufacturers Association)
- a Center for Energy Management (703) 250-5900 Courses on ISO 9000/14000
- National Lead Tech.Information Center . (800) 424-5323
- Small Business Administration (800) 827-5722
- Regulatory Fairness Boards (SBA) (888) 734-3247
- 0 Occupational Safety & Health Admin . . (800) 321-6742 (OSHA) (Worker Safety Referral Svcs.)
- American Lung Association (800) 586-4822
- Consumer Product Safety Comm (800) 638-2772
- Radon (Nat'1 Safety Council (800) 557-2366
- INFOTERRA/USA (202) 260-5917
- Government Printing Office (202) 512- 1800
- National Institute of Occupational(800) 356-4674 Safety and Health

EPA REGIONAL REGULATORY SMALL BUSINESS LIAISONS

REGION	1	CT, ME, MA, NH, RI, VT	Dwight Peavey	(617) 918-1829
	2	NJ, NY, PR, VI	John D. Wilk	(212) 637-391 a
	3	DE, DC, MD, PA, VA, WV	David Byro	(800) 228-8711/(215) 814-5563
	4	AL, FL, GA, KY, MS, NC, SC, TN	Annette Hill	(404) 562-8287
	5	IL, IN, MI, MN, OH, WA	Robert Beltran	(312) 353-0826
	6	AR, LA, NM, OK, TX	David Gray	(800) 887-6063/(214) 665-7178
	7	IA, KS, MO, NE	Charles Hensley	(913) 551-7519
	a	CO, MT, ND, SD, UT, WY	Rob Laidlaw	(303) 312-7064
	9	AZ, CA, HI, NV, AS, GU	Mark Samolis	(415) 744-2321
	10	AK, ID, OR, WA	Bill Dunbar	(206) 553-1138

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Toll Free (800) 368-5888	Local and DC Area (202) 260-1211 Homepage http://www.epa.gov/sbo	T.D.D. (202) 260-1258	Fax (202) 401-2302
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- ! Watershed Info. Resource System . . (800) 726-5253
- ! Water Resource Center. (202) 260-7786
- ! Wetlands Information (800) 832-7828
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(202) 260-9361
- ! Solid and Hazardous Waste (RCRA), Superfund (CERCLA), and Underground Storage Tanks (UST) (800) 424-9346
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(703) 412-9877
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- ! Office of Environ. Justice (800) 962-6215
- ! Office Pollution Prevention Toxics . . (202) 260-2983
OPPT Small Business Liaison

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- ! National Environmental Training Center for Small Communities (800) 624-8301
- ! EPA Inspector General (202) 260-4977

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(202) 267-2675
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- ! Energy-efficiency & Renewable Energy Clearinghouse (Operated by the DOE) (800) 363-3732
- ! DOT--Transportation of Haz. Mater. . . (800) 467-4922
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- ! Center for Energy Management Courses on ISO 9000/14000 (703) 250-5900
- ! National Lead Tech.Information Center (800) 424-5323
- ! Small Business Administration (800) 827-5722
- ! Regulatory Fairness Boards (SBA) . . . (888) 734-3247
- ! Occupational Safety & Health Admin. (OSHA) (Worker Safety Referral Svcs.) (800) 321-6742
- ! American Lung Association (800) 586-4822
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- ! Radon (Nat'l Safety Council) (800) 557-2366
- ! INFOTERRA/USA (202) 260-5917
- ! Government Printing Office (202) 512-1800
- ! National Institute of Occupational Safety and Health (800) 356-4674

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5	IL, IN, MI, MN, OH, WA	Robert Beltran	(312) 353-0826	
6	AR, LA, NM, OK, TX	David Gray	(800) 887-6063/(214) 665-7178	
7	IA, KS, MO, NE	Charles Hensley	(913) 551-7519	

8	CO, MT, ND, SD, UT, WY	Rob Laidlaw	(303) 312- 7064
9	AZ, CA, HI, NV, AS, GU	Mark Samolis	(415) 744-2321
10	AK, ID, OR, WA	Bill Dunbar	(206) 553-1138

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 43. In addition, the Ombudsman's Office maintains an inventory of over 250 EPA and related publications containing useful environmental information for small business. A complete listing of these publications can be obtained by contacting the Ombudsman's Office at 1-800-368-5888/202-260-1211

RECENT INITIATIVES TO BETTER SERVE YOU

Our efforts to assist the Small Business Community continue at a high level. Here are some more things we have done or are currently doing to help you over the past year.

- ! Hosted fifth National Small Business Ombudsman and Technical Assistance Program Conference in Scottsdale, AZ, attended by 47 States, 2 Territories, and the District of Columbia (185 participants), and have set plans and issued a grant to the state of Florida's Environmental Protection Agency for a sixth Conference in April 1999, in Tampa, Florida.
- ! Developed external stakeholder guidance and acted as a principal participant in the Agency's Eighth Regulatory Tiering (prioritizing) Process.
- ! Coordinated individual meetings and follow-up meetings between major small business trade associations and the EPA Deputy Administrator, Assistant Administrators, and Agency Small Business Program Office Representatives on April 17, June 17, September 18, and November 24, 1998, to discuss small business initiatives and issues.
- ! Finalized EPA's 1996 Small Business Ombudsman Report to Congress under Section 507 of the 1990 Clean Air Act Amendments and have received state reports for the development of the 1997 report. Received 3-year ICR approval for reporting of years 1998-2000 from the Office of Management and Budget.
- ! Cooperatively managing Small Business Regulatory Enforcement Fairness Act of 1996 small business entity outreach activities in order to implement Act requirements.
- ! Conducted Small Business Liaison Conference for EPA Regional Small Business Representatives on August 5-6, 1998.
- ! Developed an EPA Small Business Ombudsman Home Page on <http://www.epa.gov/sbo>.
- ! Participated in 40 to 50 EPA Regulatory work groups to represent Small Business concerns.
- ! Conducting State Compliance Advisory Panel Training.
- ! Developed Environmental Management Assistance

Guide for Small Laboratories.

- ! Developed a State Resource Guide for Small Business Assistance Programs.
- ! Developing a Compliance Advisory Panel (CAP) Management Manual to be completed by April 1999, to assist State CAPs with their Clean Air Act responsibilities.

NATIONAL ENVIRONMENTAL LABORATORY ACCREDITATION CONFERENCE (NELAC)

The National Environmental Laboratory Accreditation Conference (NELAC) is a voluntary association of state and federal agencies with the common objective to establish uniform laboratory accreditation standards. In support of the objective, states and federal agencies will adopt standards and serve as accrediting authorities. A multi-governmental team would serve to evaluate and approve the state and federal accrediting authorities, to ensure reciprocity of laboratory accreditations granted. Seventeen state programs have applied for recognition as accrediting authorities. Current information on this program may be obtained from the Internet Site, www.epa.gov/ttn/nelac.

EPA AND STATES TO IMPROVE FACILITY INFORMATION

EPA and the States are working to improve the way regulated facilities are identified in environmental databases. One goal of this effort is to reduce duplicate reporting of facility identification information from companies, thereby reducing the reporting burden on the regulated community.

The first phase of this process was to establish a standard set of data elements for facility identification. These data elements include the facility name, address, locational data, business classification and contact **information**. The second phase was to make existing facility identification data available on the Internet through the EPA's Envirofacts Warehouse (<http://www.epa.gov/enviro/>). Using this application, a company can search EPA's databases to find all occurrences of the company and related facility information. During this phase EPA is working with States to improve the accuracy of the facility identification data.

CLEAN AIR ACT (CAA)

The third phase, which is now underway, is to develop a single master record with accurate facility identification information for each facility. Once this is accomplished, EPA will identify where similar data is collected in separate regulatory information collections and, where possible, eliminate the duplicated reporting. For further information, companies are urged to visit the Internet site identified above.

SECTOR FACILITY INDEXING PROJECT SECTOR FACILITY DATA PUT ON THE INTERNET

Information gathered under EPA's pilot Sector Facility Indexing Project (SFIP) on the environmental performance of hundreds of facilities in five major industries is now available through the Internet.

The industrial sectors covered are automobile assembly, pulp manufacturing, petroleum refining, iron and steel production, and the primary smelting and refining of aluminum, copper, lead and zinc (nonferrous metals).

The new database covers approximately 650 facilities with the five sectors, and for the first time collects in one place information the facilities must provide under a number of federal environmental statutes. The data include information on past inspections and enforcement actions, the size of the facilities and their annual releases of chemicals into the environment, and demographic data about communities near the facilities.

The database has multiple uses, facilities can benchmark their data against that of other similar facilities, or simply monitor their own regulatory performance. The database gives environmental and community groups easier access to information they can use to learn about the environmental performance of individual facilities. Government agencies can use the information as a planning tool.

EPA stakeholders, including environmental and community organizations, have commented on the project. Each facility included in the pilot project received a copy of its compliance and enforcement data and was given an opportunity to submit comments. State agencies also received the information for review, since a large portion of the data is provided to EPA by state governments. EPA modified the data as appropriate, but found most of the data to be accurate. The agency will continue taking comments as the pilot project evolves.

The database is available at Internet address <http://www.epa.gov/oeca/sfi>. For the first five and a half months of its availability, the website has been accessed with approximately 46,000 user sessions and 250,000 hits, an indication of the interest the project has generated. In keeping with SFIP's policy to incorporate information as it becomes available the data included within the project have been updated twice since the project's release. Another update is anticipated in January 1999.

We have included more information on the Sector Facility Indexing Project in the OSBO Item A-12.

IMPLEMENTATION STRATEGY UPDATE

EPA's Office of Air and Radiation has prepared a 1997 *Implementation Strategy* publication. It outlines the schedule, by industry, for issuing regulations required by the Clean Air Act. It is included in our Item I-11 package.

AMENDMENT AND CHANGES TO THE OPERATING PERMIT PROGRAM FINAL RULE

In 1992, EPA issued regulations providing for the establishment of comprehensive state air quality permitting systems consistent with the requirements of Title V of the Clean Air Act. The Rule allows States to issue a general permit covering numerous similar small sources, each of which need only submit information covering its eligibility. The Rule was revised and expanded in 1994, including the provision of more flexibility in the revision of permits, with more flexibility provided in 1995. Amendments were published on June 3, 1996, providing non-major source emission exemptions. See 7/1/96 Code of Federal Regulations (CFR), Part 70. In July 1998 the Agency extended state operating permit programs interim approvals until 6/1/00. For detailed history, see our Item I-25.

CAA -- A GUIDE FOR SMALL BUSINESSES

A booklet entitled *The Clean Air Act Amendments of 1990: A Guide for Small Businesses* was published in 1992, Item I-36. 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 telephone numbers and addresses 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*.

NEW NATIONAL AMBIENT AIR QUALITY STANDARDS REVISED FOR PARTICULATE MATTER AND OZONE

On July 18, 1997, the Federal Register published EPA's revisions to the National Ambient Air Quality Standards for Particulate Matter and Ozone (ground level). Particulate Matter (PM) largely originates as soot from combustion sources, such as power plants and incinerators. Ozone is primarily caused by industrial and motor vehicle emissions. These revisions require states to reconsider the air quality controls they place on industries and businesses of all sizes. In addition to the current PM standard which regulates particulates of 10 microns or smaller at annual arithmetic mean concentration of 50 micrograms per cubic meter and 24-hour average concentration of 150 micrograms per cubic meter; the standard adds the regulation of particulate 2.5 microns or smaller at 15 micrograms annually and 50 micrograms daily. Also, the Ozone standard has been revised from 0.12 parts per million (PPM), daily maximum 1

hour CONCENTRATION, to a new standard of 0.08 PPM, daily maximum 8 hour AVERAGE. On both the revised PM and Ozone standards, EPA is also specifying the way in which the attainment of these standards would be measured.

As anticipated, plans for control strategies to meet the new standards would be due in 2000 for PM and in 2002 for Ozone. Deadlines for achieving full compliance would occur several years later for each. During 1998, the Agency issued a series of guidance materials for States to use in planning for the revised NAAQS standards. In May 1998, "Early Planning Guidance" was issued that addressed the requirement for Governors to submit recommendations for the designation of nonattainment, attainment and unclassifiable areas. In addition, guidance was issued explaining the process EPA plans to follow to ensure that general authority/infrastructure State Implementation Plans (SIP) are adequate to implement the revised Standards. In November 1998 the draft Implementation Guidance was issued. It is available on the internet at Website <http://ttnwww.rtpnc.epa.gov/implement>. We will continue to keep you updated .

NEW CAA MEDICAL WASTE INCINERATOR RULE

This final rule applies to incinerators that are used to burn hospital waste and /or medical/infectious waste (MIW). The rule encompasses incineration at hospitals, other health care type facilities, and commercial waste disposal incinerators that burn these wastes. For both new and existing sources, the regulation provides incinerator operators with a number of compliance options, i.e., pollution control technologies to meet the new air emission standards depending on the size of the MIW. We have worked closely with small community hospitals to provide them with the most affordable way to meet the new requirements. Rural incineration facilities are required to meet less stringent emission limits, but must still make changes, Item I-46.

NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS RULES AVAILABLE FOR SOME INDUSTRIES

In 1994, a General Provisions Rule was issued to establish a consistent set of requirements for NESHAPs under the air toxics provisions of the Clean Air Act, Item I-20. Since then, EPA has finalized rules which affect many small businesses, including Halogenated Solvent Cleaning Processes, Item I-21; (Important Note: 1-year stay on continuous use of cleaning machines, beginning 5/5/98), Chromium Electroplating and Anodizing Operations---revision of compliance deadlines: Federal Register 1/30/97, Item 1-22; Ethylene Oxide Emissions from Commercial Sterilization and Fumigation Operations, Item I-23 (IMPORTANT NOTE: Rule was SUSPENDED on 12/4/97 for 1 year); Dry Cleaners--rule amended 9/16/96 relative to certain transfer machines, Item I-27; Aerospace

Manufacturing and Rework---amendments and control techniques guidelines proposed, Item 40; Wood Furniture Manufacturing and control techniques guidelines, Item I-41; Printing and Publishing, Item I-42 which includes 6/98 proposed amendments; and Hospital/Medical/Infectious Waste Incinerators, Item I-46.

Recently, rules have also been finalized for Consumer Products--9/11/98, Item I-43; Automotive Refinish Coatings--9/11/98, Item I-44; and Architectural Coatings--9/11/98, Item I-45.

The NESHAP for Hazardous Organic Compounds (HON) in production operations, primarily in Synthetic Organic Chemical Manufacturing, was issued in 1994. Amendments and/or revisions were issued in the Federal Register in 1995, and on 12/5/96, and 1/17/97. The latter two FRs exclude some volatile organic compounds and ease implementation plan requirements. A correction relative to equipment leaks was issued on 8/22/97. Item I-24.

CAA LIST OF SOURCE CATEGORIES AND SCHEDULE FOR REGULATING HAZARDOUS AIR POLLUTANTS

On June 4, 1996, EPA published a revision to the Initial List of Categories of Sources, as required under Section 112 (c)(1) of the Clean Air Act of 1990; and a revised schedule for the Promulgation of Emission Standards for the above categories; and an advance notice to propose adding more Research and Development Facilities was issued on 5/12/97, Item I-28.

STATE MOTOR VEHICLE INSPECTION MAINTENANCE PROGRAMS PROVIDED MORE FLEXIBILITY

In 1992, EPA published a Final Rule making the subject programs tougher, including a requirement for "test only" stations. Our Office raised strong objections to that rule, because of the adverse impact on many small businesses. In 1995, EPA published a Final Rule allowing the states flexibility in designing their enhanced auto inspection programs. This rule was amended on 9/23/96 and 1/9/98. Item I-29.

PERCHLOROETHYLENE (PCE) HEALTH EFFECT STUDIES

EPA evaluation of toxicological and carcinogenic studies related to PCE, which is declared a hazardous air pollutant by the Clean Air Act, has been delayed pending the completion of other studies, including those for the coming year on the related compound trichloroethylene, having similar toxicology. As an update, in the Federal Register (FR) notice on January 2, 1998, (1/2/98 FR pp. 75-7), EPA National Center for Environmental Assessment Office Research Development (ORD) identified a number of health assessment activities which would be conducted according to the new procedures for EPA's new Integrated Risk

Information System. PCE (Tetrachloroethylene) was one of these. The notice stated that a Tetrachloroethylene reassessment would start sometime in 1998, but not before substantial progress has been made on EPA's reassessment of trichloroethylene which is ongoing. The PCE reassessment activity was scheduled to be started in December 1998. A completion for the trichloroethylene assessment was estimated to be in early 2000. The tetrachloroethylene reassessment would encompass both cancer hazard-risk characterization and general toxicity (noncancer) health hazard characterization including appropriate Oral Reference Dose and Inhalation Reference Concentration recommendations. For further information on these activities, reference may be made to the FR Notice cited above.

PERCHLOROETHYLENE (PCE) SUBSTITUTES

According to the 10/26/96 issue of Science and Technology News, dry cleaning equipment using liquid carbon dioxide, instead of PCE, was scheduled for marketing. Updated information on this may be obtained from www.globaltechno.com.

STRATOSPHERIC OZONE PROTECTION CFC PHASEOUT RULES

An accelerated phase-out of the production of Chlorofluorocarbons (CFC), Halons, Carbon Tetrachloride, Methyl Chloroform, and Hydrochlorofluorocarbons (HCFC) was mandated and internationally endorsed in 1992 with reconsideration of petition criteria and incorporation of Montreal Protocol Decisions: Direct final rule, 8/4/98 FR 41625-655, , Item I-5. A final rule *detailed* the above *phase-out*, with Methyl Bromide added, was issued, Item I-15. Final rules also have been issued which control recovery and recycling of all refrigerants during the servicing of on-road motor vehicle air conditioners, Item I-14; emissions reduction, and use of certified personnel during servicing and disposal of all *other air conditioning and refrigeration equipment* which use ozone depleting substances. Item I-16. Rules were also issued banning the use of CFCs and HCFCs in non-essential products, Item I-17, Labeling of products containing ozone depleting substances and their packaging, Item I-18, and significant new *alternative refrigerants, updated periodically*, Item I-19.

CAA FIELD CITATION PROGRAM AND MONETARY AWARD FINAL RULES

The proposed Field Citation's Rule allowing EPA field inspectors to levy immediate, on-the-spot fines is expected to become final soon. EPA issued a proposed Monetary Awards Rule outlining eligibility criteria and general program implementation for making awards to citizens upon the conclusion of civil or criminal cases. EPA is presently

making awards under the existing statutory authority, and a final rule outlining additional eligibility criteria is on hold. See Item I-12 for both.

RISK MANAGEMENT PLANS (RMP)/CHANGES TO THE CHEMICAL THRESHOLD LIST RULES

The Chemical Accident Prevention Provisions were codified in the July 1, 1996 Title 40 part 68 of the Code of Federal Regulations (CFR). Following that date, there have been changes proposed and, as noted, in most instances finalized:

On August 25, 1997 (62 FR 45130-2), EPA published an amendment to the List Rule governing substances and their thresholds triggering compliance with the Risk Management Program by changing the concentration qualifier for hydrochloric acid solutions to 37%, under a settlement agreement between General Electric and EPA. On the same date (62 FR 45134-6), EPA published clarifying rule interpretations. Under a separate settlement agreement between EPA and the American Petroleum Institute (API) and the Institute of Makers of Explosive (IME), EPA proposed amendments to the List Rule on other issues such as delisting explosives and clarifying transportation exemption under the definition of stationary source. EPA finalized this amendment on January 6, 1998 (63 FR 639-45). On April 17, 1998 (63 FR 19216-26), the EPA proposed use of the new industrial classification system in lieu of the "SIC" code, the addition of certain data elements to the RMP, and clarifying certain items, including procedures for protection of confidential business information. The EPA Final Amendments to the April 17, 1998 proposed rule has been published (01/06/99 FR PP 963-80)

These items are included in the OASBO Item I-30. Facilities which have more than the threshold quantities of the listed substances, noted in Title 40, Part 68 of the CFR (as cited above), must submit program summaries, known as Risk Management Plans (RMPs) by June 21, 1999.

RISK MANAGEMENT PLANNING GUIDANCE FOR SMALL BUSINESS

EPA has published new program guidance items as noted below. These guidance items may be obtained from the National Center for Environmental Publications and Information (NCEPI) at 1-800-490-9198, or printed off from the web site, <http://www.epa.gov/ceppo>.

RISK MANAGEMENT PROGRAM GUIDANCE FOR PROPANE USERS AND SMALL RETAILERS (NOVEMBER 1998)

This document is intended as condensed guidance for smaller businesses who store or use propane and who already comply with propane industry standards. The guidance and sample RMPs assume that propane is the ONLY regulated substance stored at the facility. If your

facility uses other regulated substances in addition to propane, you should consult the General Guidance for Risk Management Programs or the appropriate industry-sector guidance document (which are forthcoming). Also, If you operate a larger propane storage or distribution facility, you should consult EPA's Risk Management Program Guidance for Propane Storage Facilities for changes since this was originally published.

RISK MANAGEMENT PROGRAM GUIDANCE FOR PROPANE STORAGE FACILITIES (NOVEMBER 1998)

This document is intended as a comprehensive RMP guidance for larger propane storage or distribution facilities who already comply with propane industry standards (smaller propane facilities may also use this guidance, but should first consult EPA's Risk Management Program Guidance for Propane Users and Small Retailers, which will meet the needs of most smaller propane facilities). This guidance assumes that propane is the ONLY regulated substance stored at the facility. If your facility uses other regulated substances in addition to propane you should also consult the General Guidance for Risk Management Programs, or the appropriate industry-sector guidance documents (which are forthcoming) for changes since this was originally published.

RISK MANAGEMENT PROGRAM GUIDANCE FOR AMMONIA REFRIGERATION (NOVEMBER 1998)

The guidance is intended for facilities with ammonia refrigeration systems (e.g., food processors and distributors, refrigerated warehouses). The guidance covers only anhydrous ammonia and provides offsite consequences analyses that are specific to the ways in which ammonia is handled in an ammonia refrigeration system. Because virtually all covered ammonia refrigeration systems will be subject to either Program 1 (least program considerations required) or Program 3, (for most program considerations required) this document provides no guidance on the Program 2 prevention program.

RISK MANAGEMENT PROGRAM GUIDANCE FOR WASTEWATER TREATMENT PLANTS

This guidance document is intended for wastewater treatment plants (public and private) that use chlorine, sulfur dioxide, ammonia, methane, and propane. It includes guidance specific to these substances as used and produced at wastewater treatment plants. The guidance provides chemical-specific offsite consequence analyses as well as industry-specific information on

prevention programs. The hazard review checklists and what-if questions included in Chapter 6 of the guidance are also provided as a separate WordPerfect 6.1 file at web site <http://www.epa.gov/ceppo>.

RISK MANAGEMENT PLANS (RMP) PROGRAM: SUBMISSION SOFTWARE AVAILABILITY

The "RMP* Submit," the submission software for the facility Risk Management Plans (RMP) is available on the www.epa.gov/ceppo home page and will be available from NCEPI during January 1999.

RMP data submission from facilities will be posted on internet, however, after much discussion, EPA has made a decision not to put the Offsite Consequence Analysis data on the Internet. It is important to note, however, that facilities must still submit their data to EPA.

EPA IS DEVELOPING RISK MANAGEMENT PROGRAM WORK SHOP ESPECIALLY FOR SMALL BUSINESSES ASSISTANCE PROVIDERS MATERIALS

EPA's Chemical Emergency Preparedness and Prevention Office is developing workshops materials focused on helping small businesses develop Risk Management Programs for commonly used and stored chemicals. It's called the "*Plan in Hand*" *Workshop*. If you are a propane retailer/user, water treatment system operator, ammonia refrigeration system operator or an agricultural retailer--and use propane, chlorine or ammonia above thresholds--you will benefit from the "Plan in Hand" workshop.

What can I expect from attending a "Plan in Hand" Workshop? Your trainer will be hosting an interactive workshop that: 1) teaches you about the Risk Management Program; 2) gives you information on putting a Risk Management Program in place at your facility; and 3) will allow you to leave with at least part of your Risk Management Plan completed. The "Plan in Hand" workshop is designed to help you understand RMP in the context of your specific operations.

Can I sign up for these Workshops now? EPA's program coordinators in each Region and state/local agencies are taking the lead on providing RMP training for small businesses. You should call to find out more about what training opportunities are available now.

REMINDER: THE COMPLIANCE DATE FOR RMP IS LESS THAN 6-MONTHS AWAY - JUNE 21, 1999

GUIDANCE FROM EPA ON POTENTIAL TO EMIT (PTE)

In 1995, EPA issued guidance relative to the definition of PTE under the Clean Air Act. PTE is important because of its relation to the need for a State Operating Permit under Title V. This Office has advocated for the consideration of small businesses relative to clarity, realistic definitional parameters, and alternatives. EPA issued a second extension of the 1995 "transition" policy on 7/10/98, good until 12/31/99. Also issued, was a clarification of methods for calculating PTEs in Batch Chemical Manufacturing. Guidance to assist States in clarifying the minor source status of low-emitting sources in 8 industries (gasoline service stations, gasoline bulk plants, boilers, cotton gins, coating sources, printing, degreasers using volatile organic solvents, hot mix asphalt plants) was issued on April 19, 1998. Item I-31.

CLEAN AIR ACT COMPLIANCE ASSISTANCE ENFORCEMENT POLICY FOR SMALL BUSINESSES

In 1994, EPA's Office of Enforcement and Compliance Assurance issued a policy giving small businesses a limited grace period. This policy provided them with additional time to correct violations revealed during requested assistance from a State Small Business Assistance Program established under Section 507 of the CAAA, Item I-13.

INDUSTRIAL COMBUSTION COORDINATED RULEMAKING (ICCR)

The Clean Air Act (CAA) requires regulation of toxic air pollutant emissions under Sections 112 and 129, from several categories of industrial combustion sources, including boilers, process heaters, waste incinerators, stationary combustion turbines, and stationary internal combustion engines. These combustion devices are used primarily for energy generation and waste disposal in a wide variety of industries and commercial and institutional establishments. They burn fuels including oil, coal, natural gas, wood and non-hazardous wastes. The industrial combustion regulations could affect thousands of sources nationwide, and could have significant environmental and health impacts as well as cost impacts.

The Agency (EPA) in the past established a federal advisory committee under the Federal Advisory Committee Act (FACA), entitled the Industrial Combustion Coordinated Rulemaking (ICCR), to develop recommendations for EPA on these regulations. The goal of ICCR was to develop recommendations for EPA on regulations which would maximize environmental and public health benefits in a flexible framework at a reasonable cost of compliance, within the constraints of the Clean Air Act. The ICCR has now expired in

accordance with sunset provisions of the FPSCA (29 of September 1998). However regulatory development for the Industrial Combustion Sources is being continued. The ICCR web site on the Internet has also been discontinued as of January 1, 1999.

CLEAN WATER ACT (CWA)

EFFLUENT GUIDELINES PROGRAM

Effluent guidelines are regulations for industrial discharges to surface waters and to publicly-owned treatment systems. EPA's Office of Water is working on effluent guidelines for the following industries: industrial laundries, landfills, industrial waste combustors, transportation equipment cleaning, centralized waste treatment, pharmaceutical manufacturing, pulp and paper, iron and steel, metal products and machinery, oil and gas extraction (synthetic-based drilling fluids), coal mining, and feedlots (swine and poultry). In addition to the industry-specific regulations, EPA published (on May 28, 1998) a summary of all ongoing and potential rulemakings; the proposed summary is referred to as the Effluent Guidelines Plan.

EPA participated in Small Business Advocacy Review Panels for three of the proposed rules: industrial laundries (proposed December 17, 1997), transportation equipment cleaning (notice of proposed rule was published in the FR on June 25, 1998), and centralized waste treatment effluent guidelines (supplemental proposal published in FR 1/13/99).

The industrial laundries proposal included an exclusion for facilities that process less than a specified weight (expressed in pounds per year) of industrial items. As a result of the Panel's recommendations, EPA solicited comment on alternative exclusions to minimize small business impacts without jeopardizing environmental benefit. The proposal for the transportation equipment cleaning industry discusses and solicits comments on many issues raised by the Panel, such as the subcategorization approach; approaches for minimizing the regulatory impacts for small facilities; and the pollutant loadings. Additionally, based on comments received from the Panel and on additional information provided by small entity representatives, EPA revised the scope of the proposal to exclude the cleaning of Intermediate Bulk Containers. The centralized waste treatment proposal discusses issues raised by the Panel and solicits comments on exclusions and reduced monitoring options that will not jeopardize the environmental benefits or limit the facility's ability to accept a broad spectrum of off-site wastes.

EPA also promulgated effluent guidelines for the pharmaceutical manufacturing industry (September 21, 1998). For this rulemaking, EPA analyzed the potential economic impacts on small businesses and concluded that the rule would not result in a significant impact on a substantial number of small entities.

Early in 1999, EPA is planning to convene a Small Business Advocacy Review Panel for the upcoming proposed

rule for metal products and machinery.

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

NPDES PERMIT APPLICATION REGULATIONS FOR STORM WATER DISCHARGES UPDATE (FINAL RULE)

For the first phase of the storm water program, EPA published the initial permit application requirements for certain categories of storm water discharges associated with industrial activity and discharges from municipal separate storm sewer systems located in municipalities with a population of 100,000 or more on November 16, 1990 (55 *FR* p. 47990).

The November 16, 1990, storm water regulations presented three permit application options for storm water discharges associated with industrial activity. The first option is to submit an individual application consisting of Forms 1 and 2F. The second option was to have participated in a group application. This option is no longer available as the deadlines have passed. Using the group application information, EPA developed the industry-specific Multi-Sector General Permit to provide NPDES permit coverage to any facility that meets the stipulated eligibility requirements, regardless of participation in the group application process. This storm water permit was published September 29, 1995 in *FR* Vol. 60, No. 189, and provides coverage for 29 different industrial sectors under one permit and is part of the EPA's program to give permittees flexibility and incentives to pursue effective storm water controls tailored to their local situation. The third option is to file a Notice of Intent (NOI) to be covered under a general permit. For more information on any of these options or to request an NOI Form (Form 1 or 2F), please call the Office of Water Resource Center (202) 260-7786. All storm water discharges associated with industrial activity that discharged point sources of storm water on or before October 1, 1992, must have had permit coverage by October 1, 1993. Controls are implemented by way of the storm water pollution prevention plan, a flexible, site-specific document.

The next phase of the storm water program, phase II, is currently under development. EPA chartered a committee under the Federal Advisory Committee Act (FACA) to help frame the policy issues integral to protecting water quality from storm water discharges. EPA developed proposed phase II regulations with input from the FACA committee. The proposed regulations were signed on December 15, 1997, and appeared in the Federal Register on January 9, 1998. The comment period for the proposed rule ended on April 9, 1998. EPA also held public meetings and public hearings on the proposed rule in six cities. EPA is now in the process of addressing issues raised during the public comment period and preparing a final rule. Interested parties may obtain more information by calling (202) 260-5816 or sending e-mail requests to "sw2@epamail.epa.gov." For the name and phone number of the Storm Water primary contact for your State and the

EPA Regional contact, phone us at (800) 368-5888 and request Item G-9, "Overview of the Storm Water Program."

APPLICATION REQUIREMENTS AND REVISION OF NPDES INDUSTRIAL PERMIT FORM

This Proposed Rule would update the existing regulation that requires all existing manufacturing, commercial, mining, and silvicultural operations to submit an application in order to obtain a National Pollutant Discharge Elimination System (NPDES) permit. The existing form has not been revised since 1984 and must be updated to reflect statutory and regulatory changes in the NPDES program, advances in scientific methods and an increased emphasis on toxics control. The revision intends to decrease the permitting burden on facilities while at the same time adequately supplying the permit writers with necessary facility information in order to produce accurate and legally defensible permits. The revised form will streamline data and information collection by consolidating this information currently required in Forms 1 and 2C to a single new Form 2C. In addition, this rule revision aims to delete certain pollutant parameters from the application process, as well as, include a process for the electronic transfer of application data to the Agency. The revised form will also clarify issues regarding which pollutants are authorized to be discharged by the permit and, therefore, shielded from enforcement actions by the Agency. To date, EPA has held a number of informal stakeholder outreach meetings with industry, environmental, and small entity groups. EPA is now assessing the potential impact of this rule on small businesses. The proposed rule is planned for the late Summer of 1999

REVISION OF PRETREATMENT REQUIREMENTS

EPA is developing a proposal that will modify the General Pretreatment Regulations (40 CFR Part 403) to reduce the burden to publicly-owned treatment works (POTWs) and industrial users. These revisions will allow more flexibility in regulating low pH wastes, allow either mass or concentration based limits to be established, better tailor oversight of and sampling by significant industrial users, and allow the granting of removal credits for certain pollutants. The proposed rulemaking will also clarify how management practices and general permits can best be used, provide for use of electronic reporting, and address other important program issues. To facilitate regulatory changes that would be responsive to the needs of the stakeholders, EPA provided brief discussions of the issues to stakeholders (state authorities, trade associations, industrial users, environmental organizations and individual POTWs) for their review and comment prior to drafting the formal proposal. The Notice of proposed rule-making is expected to be published in the Federal Register during the first quarter of 1999.

SAFE DRINKING WATER ACT (SDWA)

The Safe Drinking Water Act (SDWA) has several provisions that will benefit small water systems. EPA is seeking input from small water systems and other stakeholders as it develops the regulations, guidances, and assistance documents needed to help states and water suppliers implement these provisions. EPA has formed several working groups through the National Drinking Water Advisory Council (NDWAC) that will provide input and recommendations on EPA activities in SDWA implementation. Each of these working groups has representatives of small water systems. All of these meetings are open to the public, and small businesses are invited to participate. Meeting information can be found on the Office of Ground Water and Drinking Water's Internet Website at www.epa.gov/OGWDW/caL1031.html.

SMALL SYSTEM CAPACITY DEVELOPMENT

The SDWA Amendments create a focus on enhancing and ensuring the technical, financial, and managerial capacity of water systems to comply with National Primary Drinking Water Regulations (NPDWRs). The Amendments provide states with a number of new or improved tools for helping small systems, especially systems which cannot afford to comply with NPDWRs through conventional approaches.

By October, 2000 States have to develop and implement strategies to help water systems achieve and maintain capacity. States that do not set up these programs will lose a portion of their Drinking Water State Revolving Fund capitalization grant. In August 1998, EPA released guidance documents to assist states. These include a guidance for states on ensuring new water system capacity and a guidance for states on capacity development strategy preparation. A subgroup of NDWAC provided formal input to EPA as it developed these guidances. Copies can be requested through the Safe Drinking Water Hotline on 1-800-426-4791.

The SDWA Amendments of 1996 created a new multi-billion dollar Drinking Water State Revolving Fund (DWSRF) program which provides capitalization grant funds to states to set up drinking water infrastructure programs and for other activities related to the protection of drinking water. The DWSRF pays special attention to the needs of small systems. A minimum of 15% of the DWSRF funds that a state expects to expend each year must go to drinking water systems serving less than 10,000 people. Most states have been well above that percentage. Up to 2% of a state's annual DWSRF allotment may be used for technical assistance to small drinking water systems. States also have the flexibility to provide an amount up to 30 percent of the capitalization grant for additional principal subsidies for disadvantaged communities. States have the flexibility to define the affordability criteria used to determine which systems meet the eligibility criteria for these additional subsidies.

All States have received their FY'97 capitalization grant,

and most states have received their FY'98 capitalization grant.

OTHER TECHNICAL ASSISTANCE FOR SMALL WATER SYSTEMS

EPA supports a network of nine Small Water System Technology Assistance Centers that provide technical assistance to small water systems in several areas. These include the evaluation of treatment options, education and training programs for operators and managers, source water protection, and information management. These Centers are located at the University of Alaska Southeast at Sitka, Western Kentucky University, the University of Missouri at Columbia, Montana State University, the University of New Hampshire, California State University at Sacramento, Charles County Community College (Maryland), the University of Illinois at Urbana-Champaign, and Pennsylvania State University.

SOURCE WATER PROTECTION

The SDWA Amendments of 1996 require states to conduct source water assessments of all the public water supplies in the state and provide funding through the DWSRF to assist the states. Source water assessments are the first step in developing a source water protection program which works to prevent contamination from entering the source of the local drinking water supplies. These protection programs represent the first line of drinking water protection, and they are often the most cost-effective protection programs for water systems. These protection programs can also be the basis for monitoring relief. EPA issued source water assessment and protection guidance in August 1997, and it is currently assisting the states in the development of their programs. States must submit their programs to EPA by February 1999, and EPA expects most states to do so. Each state must develop its program utilizing a citizen advisory committee. States are encouraged to have small business operators represented on these advisory committees.

CONSUMER CONFIDENCE REPORTS

The 1996 SDWA Amendments require that all drinking water suppliers provide an annual report to their customers on the quality of their water, the source of the supply, and other factors. EPA released its consumer confidence report regulation in August 1998, and water systems are now developing their reports. All community water systems must develop these reports by October, 1999. EPA is working with States and drinking water utility associations to provide assistance to water suppliers in the form of guidance and electronic templates. Once States gain primacy for this program, they may develop an alternative form and content for the reports as well as allow an alternative means of distribution for systems serving fewer than 10, 000 persons.

VARIANCES AND EXEMPTIONS

The Agency promulgated in August 1998 Revisions to Existing Regulations on Variances and Exemptions under the Safe Drinking Water Act, as amended. These regulations are part of an array of regulatory relief offered to small public water systems under the Act. Variances allow systems with poor source water quality to deviate from a Maximum Contaminant Level (MCL) or Treatment Technique for a given contaminant, while exemptions allow additional time for systems to come into compliance with a new MCL or Treatment Technique. The Agency sought and received extensive public comments on the proposed revisions.

LIST OF ALTERNATIVE SMALL WATER SYSTEM COMPLIANCE TECHNOLOGIES

Some small water systems cannot afford to comply with current drinking water standards due to a number of possible factors which can include a lack of expertise in operating complex treatment technologies, lack of a full-time operator, or lack of a large customer base to lessen the cost impact of costly treatment. The 1996 amendments to the Safe Drinking Water Act require EPA to identify alternative treatment technologies that can be used by these small water systems. EPA released this list of alternative technologies in August 1998. This is a dynamic list and will be periodically updated.

STRATEGY FOR THE MANAGEMENT OF CLASS V WELLS

Class V injection wells are typically shallow disposal systems that are used to place a variety of fluids below the land surface, into or above underground sources of drinking water (USDWs). Examples of Class V injection wells include, industrial waste disposal wells, motor vehicle waste disposal wells, large-capacity septic systems, and stormwater drainage wells. The fluids released by certain types of these wells have a high potential to contain elevated concentrations of contaminants that may endanger USDWs. In January 1997, the EPA entered into a modified consent decree with the Sierra Club Legal Defense Fund. The modified consent decree requires three actions. First, EPA must propose regulations for Class V injection wells determined to be high risk. Second, EPA must conduct a study of the remaining types of Class V wells to determine their risk to public health. And third, based on the outcome of the study, EPA must propose regulations for some or all of the remaining wells or propose a decision that no further rule making is necessary. To fulfill the first requirement, EPA proposed the Revisions to the Underground Injection Control Regulation for Class V Injection Wells, which were published in the Federal Register on July 29, 1998 (63 FR 40586). The proposed rule focuses on three high-risk Class V injection wells in source water protection areas: motor vehicle waste disposal wells; industrial waste disposal wells; and large-capacity cesspools. The final rule is scheduled to be signed by the Administrator by August 30,

1999. To meet the next requirement of the consent decree, EPA is currently conducting a study of the remaining Class V injection well types, which is scheduled for completion by September 30, 1999. Further regulatory requirements will be determined based on the outcome of the study.

PESTICIDE—FEDERAL INSECTICIDE, FUNGICIDE & RODENTICIDE ACT (FIFRA)

AGRICULTURAL PESTICIDE WORKER PROTECTION STANDARDS (WPS) UPDATE

The Code of Federal Regulations, 40 CFR, Parts 156 and 170 are set to protect pesticide workers. These rules and regulations have been revised as late as 6/26/96. A Proposed Rule Change covering glove requirements was published in September, 1997. A Final Rule amendment is anticipated in early 1999.

Also, EPA has published a final Policy Statement on the manufacturer and distributor labeling revisions required by the WPS which is included in Item F-17. EPA has available many items to assist in compliance with the Worker Protection Standards, including bilingual training manuals for pesticide applicators, videos and leaflets for pesticide handlers, a pesticide safety poster for workers, a slide presentation covering the "Standard," a heat stress guide, and other items. A copy of the publication "*Worker Protection Standard: Materials Developed by EPA, States, and Other Organizations*," which describes Worker Protection Standard materials and how to obtain them, may be obtained from the EPA Certification and Worker Protection Branch, (7506-C) 401 M Streets, S.W., Washington, D.C. 20460, or by calling 1-703-305-7666. These WPS materials addressing pesticide safety and training may also be obtained through EPA Regional Offices (<http://www.epa.gov/epahome/locate2.htm>), States Agencies (<http://ace.ace.orst.edu/info/nptn/-state1.htm>) the Cooperative Extension Service (<http://www.reesuda.gov/>), the Government Printing Office, and private agricultural supply businesses.

RESTRICTED USE CRITERIA FOR PESTICIDES IN GROUND WATER PROPOSED RULE

A Proposed Rule was published, in the May 13, 1991, *FR* pages 22076-9, which presented options for adding new criteria for determining which pesticides may be considered for restricted use classification based on the potential for ground water contamination. The Agency no longer plans to address the issue through rulemaking but, instead, will publish a policy statement in the Federal Register, most likely by March 1999.

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HAZARDOUS WASTE MANAGEMENT RESOURCE CONSERVATION & RECOVERY ACT (RCRA)

SOLVENT-CONTAMINATED SHOP TOWELS AND WIPES

EPA's Office of Solid Waste is considering 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. Recordkeeping requirements for hazardous waste found in 40 CFR sections 262, 263, 264, and 265 would apply to these wastes. Reusable towels are provided a conditional exemption from regulation as hazardous waste under most state programs. As a condition of the exemption, however, the towels may not contain any free liquids when they are sent offsite to a laundering facility. Otherwise, there are few regulations applicable to reusable shop towels.

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, etc., so long as specified conditions are met; i.e., "no free liquids", and transported off-site in closed containers.

NEW 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." This Final rule (5/11/95 FR pp. 25491-551) and Amendment (12/24/98 FR pp 71225-30) are included in the Item C-51. This rule greatly facilitates the environmentally-sound collection for proper recycling procedures and waste management for the covered wastes.

MODIFICATIONS TO THE DEFINITIONS OF SOLID WASTE AND REGULATIONS OF HAZARDOUS WASTE RECYCLING

Recycling of hazardous waste is governed by the resource Conservation and Recovery Act (RCRA) hazardous waste regulations. The portion of these

regulations known as the Definition of Solid Waste specifies whether hazardous materials that are recycled are subject to RCRA regulatory jurisdiction or not. Other parts of the regulations set forth requirements for managing recycled hazardous waste. This regulatory action revises the hazardous waste recycling regulations to respond partially to concerns that they are overly complex, difficult to understand, and that they pose a barrier to safe hazardous waste recycling.

Work on this rulemaking has been deferred. We will keep you informed in our future update newsletters on progress of this item.

HAZARDOUS WASTE LAND DISPOSAL RESTRICTIONS UPDATE

Congress, in the Hazardous Solid Waste Amendments (HSWA) of 1984 to the Resource Conservation and Recovery Act (RCRA), established a timetable for restricting land disposal of hazardous wastes unless properly treated. Treatment standards have been finalized for newly listed hazardous wastes and hazardous debris, which are included in Title 40 of the U.S. Code of Federal Regulations (CFR) Part 268, July 1, 1996, as amended, (2/18/97, FR). The CFR Part 268, as amended, is included in Item C- 41. The Final (Phase III) Rule was published (4/8/96 FR pp. 15565-668) with subsequent corrections and revisions listed in Item C-88. The Phase IV Final Rule has been published (5/26/98, FR pp. 28555-754) and is included in Item C-89. This Final Rule is the latest in a series of LDR rules that establish treatment standards for wastes identified or listed as hazardous after the date of the 1984 amendments, RCRA § 3004(g)(4). Prior Rules included in Item C-89 cover treatment standards for wood preserving wastes, paperwork reduction, and clarification of treatability variances, (5/12/97 FR pp. 25998-990 and 12/5/97 FR pp. 64504-9).

This Final Phase IV Rule contains five major, interrelated sections. The first section explains the new land disposal restrictions treatment standards for wastes identified as hazardous because they exhibit the toxicity characteristic for metals (referred to as "TC metal wastes"). The section also revises the universal treatment standards (UTS) for 12 metal constituents in all hazardous wastes. The TC metal wastes will now be required to meet the universal treatment standards as do most other hazardous wastes. The second major section establishes the prohibition on land disposal plus treatment standards for a particular type of newly identified hazardous waste: mineral processing waste that exhibits a characteristics of hazardous waste. The third section addresses additional issues affecting both TC metal wastes and characteristic mineral processing wastes. The fourth section amends the rules defining when secondary materials being recycled are solid wastes. It states that secondary materials from mineral processing which are generated and reclaimed within that industry are not solid wastes unless they are

managed in land disposal units before being reclaimed. Such materials are not subject to regulation as hazardous wastes. That part of the Rule also addresses other issues related to mineral processing. The final major section promulgates amended treatment standards for soil that contains hazardous waste or which exhibits a characteristic of hazardous waste.

This Final Rule also includes two brief sections on hazardous waste issues unrelated to the major sections. One clarifies that a previously-promulgated exclusion from hazardous waste regulation for recycled shredded circuit

boards also applies to whole circuit boards under certain conditions. The other section promulgates an exclusion from RCRA jurisdiction for certain wood preserving wastewaters and spent wood preserving solutions when recycled.

EPA will issue a technical correction on the Phase IV Land Disposal Restrictions Rule in the Federal Register early in 1999 and this will be included in the OSBO Item C-89.

UNIFORM HAZARDOUS WASTE MANIFEST UPDATE

Further Rule-making actions under consideration which address management of hazardous wastes include a revision of the Uniform Waste Manifest to reduce the paperwork burden associated with the manifest, consistent with the current Agency objectives for burden reduction. Currently, states 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. Also, some states require paying a fee. The Agency seeks to reduce the burden of the manifest by streamlining the form and, where feasible, utilizing automated information technologies which facilitate transmission access to and storage of manifest data. As part of the proposed rulemaking, EPA is also considering several exemptions to the manifest rule in order to further reduce burden: an exemption for hazardous wastes being consolidated and an exemption for hazardous wastes being recycled. A notice of proposed rule-making is scheduled for sometime in 1999.

HAZARDOUS WASTE IDENTIFICATION RULE RE-PROPOSAL

Other rule-making actions concerning management of hazardous wastes which have been reported in the FR and referenced in prior *Updates* concerned the December 9, 1991, U.S. Court of Appeals ruling which vacated the previously promulgated "mixture" and "derived-from" rules. EPA, after reviewing comments on a Proposed Rule addressing the Definition of Hazardous Waste, deemed it appropriate to withdraw the proposal and to

remove the expiration date from the reinstatement of the "mixture" and "derived-from" rules. These actions were taken in the FR of October 30, 1992, pp. 49278-80 and EPA published a Proposed Rule (FR December 21, 1995, pp. 66344-469) included in OSBO Item C-87 under the title, "*Identification and Listing of Hazardous Waste: Hazardous Waste Identification Rule.*" This rule proposed a "self-implementing" exemption for low-risk listed hazardous wastes, while still protecting health and environment, and it included a risk analysis to evaluate a variety of exposure pathways and receptors.

Over 250 comments were received on this Proposed Rule. In order to properly consider the comments received, the EPA requested extension of the Court ordered deadline for a Final Rule, to promulgate a new proposed rule by October 31, 1999, and the Final Rule by April 30, 2001.

HAZARDOUS WASTE IDENTIFICATION RULE (HWIR) FOR CONTAMINATED MEDIA

As part of the President's March 1994 Environmental Regulatory Reform Initiative, the United States Environmental Protection Agency (EPA) has finalized new regulations for RCRA hazardous wastes that are treated, stored or disposed of during cleanup actions.

These regulations were proposed on April 29, 1996, and were titled "Requirements for Management of Hazardous Contaminated Media" but are commonly referred to as the Hazardous Waste Identification Rule for Contaminated Media" or "HWIR Media." That proposal covered a broad spectrum of potential reforms to the regulations of remediation waste. In the Final (HWIR) Media Rule as published, EPA finalized the four sets of provisions specified in the following paragraphs. Also, EPA has finalized the provisions for land disposal restrictions (LDR) treatment standards for hazardous soils that contain listed hazardous waste or exhibit a hazardous characteristic (from the HWIR-media proposal) in the "Phase IV" rule (5/26/98 FR pp. 28555-754, See Item C-89). EPA is withdrawing all other provisions of the HWIR-media proposal, including the proposal to withdraw the Corrective Active Management Unit (CAMU) rule. Since the provisions of this rule and the Phase IV rule, would not adequately replace the flexibility currently provided by the CAMU rule, the agency is therefore not withdrawing the CAMU rule.

The four main changes to regulatory requirements as published in the Final Rule 11/30/98 FR pp. 65873-947 and 12/01/98 FR 66101-2 (OSBO Item C-45), are: 1) streamlined permits for treatment, storage or disposal of hazardous waste generated during cleanup that will be faster and easier to obtain than traditional RCRA permits, and that do not require facility-wide corrective action; 2) provisions for a new kind of unit called a "staging pile" that allows more flexibility for the storage of remediation waste during cleanup actions than is currently available under the RCRA Subtitle C requirements; 3) an exemption from RCRA Subtitle C for materials dredged under permits

issued under Marine Protection, Research and Sanctuaries Act or the Clean Water Act to reduce confusion and dual regulation of dredged materials; and 4) streamlined authorization procedures for States seeking to be authorized and, therefore, able to implement, revisions to Federal RCRA regulations.

HAZARDOUS WASTE MANAGEMENT: MERCURY LAMPS RULE-MAKING STATUS

EPA has drafted a final rule for the management of spent mercury containing lamps. A Proposed Rule was published on July 27, 1994, FR pp. 38289-304. The proposed rule solicited comment on two options: (1) an exclusion for the mercury containing lamps (which include fluorescent lamps) from regulation as hazardous waste provided disposal is made in permitted landfills, and (2) adding mercury lamps to EPA's universal waste rule (see Item C-51). Over 300 public comments were received on the Proposed Rule. A related supplemental analysis was completed and published in the Federal Register on 7/11/97. A final rule is expected to be published in early 1999. The Proposed Rule on mercury lamps is included in Item C-80.

SMALL QUANTITY GENERATOR HANDBOOK UPDATE

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

USED OIL MANAGEMENT STANDARDS

On May 6, 1998, EPA issued a Direct Final Rule (5/6/98 FR pp 24963-9) which included eight amendments clarifying various parts of the used oil management standards and provisions of the hazardous waste regulations concerning used oil. EPA also issued a notice of proposed rule-making on May 6, 1998 (63 FR 25006), in which the Agency proposed and solicited public comment on the same eight amendments. EPA received relevant adverse comments on three of the amendments in this rulemaking: the amendments to 40 CFR 261.5(j) (mixtures of conditionally exempt small

quantity generator waste and used oil) 40 CFR 279.10(i) (applicability of the used oil management standards to used oil contaminated with polychlorinated biphenyls (PCBs), and 40 CFR 279.74(b) (record-keeping requirements for marketers of used oil that meets the used oil fuel specification). Accordingly, on July 14, 1998 (7/14/1998 FR pp 37780-3), the Agency withdrew these three amendments and reinstated the regulatory text that existed prior to the May 6, 1998 Direct Final Rule. These FR Notices are included in the OSBO Item C-36. EPA will promulgate a final rule in the near future finalizing the three amendments, as appropriate, and addressing the comments received. The five amendments that did not receive relevant adverse comment became effective on July 6, 1998 as provided in the May 6, 1998 Direct Final Rule.

EPA also received supportive comments on the three amendments being withdrawn, as well as, the other amendments issued in the May 6, 1998 Direct Final Rule. All of the comments received on the May 6, 1998 Direct Final Rule are available on the Internet: <http://www.epa.gov/epaoswer/hazwaste/usedoil/index.htm> and at the RCRA Information Center, at 1-703-603-9230. EPA pamphlet 530-SW-89-039A "How to Setup a Local Program to Recycle Used Oil" May 1989 is included in OSBO Item C-68.

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 rule-making is commonly known as the Spill Prevention Control and Countermeasure (SPCC) regulation. The rule-making deals with spill prevention. The SPCC program concerns regulation of non-transportation related facilities with above-ground storage capacity in excess of 1,320 gallons or 660 gallons in a single tank, or buried tanks of greater than 42,000 gallons capacity. Proposed Rules were published (FR 10/22/91, pages 54611-41), and (FR 2/17/93, pages 8841-4 and pages 8846-8) which are included in Item C-77. The Clinton Administration is committed to reducing the burden that EPA regulations place on facilities without jeopardizing the level of environmental protection. In support of this objective, the EPA has completed a study of a cross-section of facilities which store oil to determine the level of risk the various facilities pose to neighboring populations and the environment. Proposed rule was published (FR 12/2/97, pages 63812-20), which is included in Item C-77.

The rule 40 CFR Part 112, included in Item C-77, 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.

UNDERGROUND STORAGE TANK (UST) SYSTEMS

Remember, it was on December 22, 1998, when pre-existing underground storage tanks (UST) for petroleum and certain hazardous materials must have met all criteria as set forth by Congressional Statute in 1984. Specifically, the UST must have had leak detection installed not later than December 1993, and must have had spill and overflow protection and corrosion protection by December 22, 1998. Those concerned should request our information package on underground storage tanks, as found in item C-37 in our list of publications.

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UNDERGROUND STORAGE TANKS-SECTION 610 REVIEW

Section 610 of the Regulatory Flexibility Act requires that an agency review within 10 years of promulgation those regulations that have or will have a significant economic impact on a substantial number of small entities.

In September 1988 the Environmental Protection Agency (EPA) promulgated regulations establishing technical standards and corrective action requirements applicable to underground storage tanks. (9/23/88, 53 FR 37082) (40 CFR Part 280). EPA has reviewed these regulations and has determined that no changes are to be made. The EPA contact is Sammy Ng, (703) 603-9900

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

SUPPORTING THE STATE LOCAL EMERGENCY PLANNING COMMITTEES (LEPC)

Major requirements of the Act includes 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, yearly, 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. A final rule was published on 5/7/96 FR pp. 20473-90, effective 7/8/96, on changes in the EHS list and reportable quantities. This Final Rule is included in Item K-30.

EPA issued Proposed Rule 6/8/98 FR pp. 3269-317 designed to simplify reporting under Sections 311-312 of the "Emergency Planning and Community Right-to-Know Act" (EPCRA). This proposed rule is also included in Item K-30. In this Proposed rule, EPA has proposed several changes:

- Higher reporting thresholds for gasoline and diesel fuel at retail gasoline stations. Retail gas stations that store gasoline and diesel fuel entirely underground and are in compliance with underground storage tank (UST) regulations would be subject to the following thresholds under section 311-312: 75,000 gallons for all grades of gasoline combined and 100,000 gallons for diesel fuel. EPA estimates that the vast majority of retail gas stations will have less than these quantities.
- Relief from routine reporting for rock salt, sand, and gravel. Facilities that store or handle rock salt, sand, and gravel no longer would report these substances under sections 311-312, regardless of how much was onsite.
- Relief from routine reporting for substances with low hazards and low risks. A substance that does not pose a significant physical or health hazard to the public, emergency response personnel, or the environment would no longer be reportable under sections 311-312, regardless of how much was onsite.
- Clarify reporting of mixtures and change the interpretation of the existing hazardous chemical exemption for solids under Section 311.
- Soliciting comments on the changes as noted above, and also requesting comments on several issues which would give State and Local Governments more flexibility to implement the existing requirements of EPCRA sections 311-312.
- Partnership programs for streamlined submission of and joint access to section 311 and 312 information;
- Electronic submittal of information;
- Reporting of ONLY changes in information, rather than submitting a new inventory each year;
- Allowing RCRA UST reports to fulfill EPCRA Section 312 requirements.

This notice proposes to rewrite the existing regulations under Sections 302-312 of EPCRA in "Plain English" format, and incorporates the requirements previously set forth in the Final rule (5/7/96 FR pp. 20473-90), in addition to the proposed changes outlined above. Comment is also being solicited on the use of the 'Plain English' in this rule.

The texts of the proposed rule are available also in electronic format at: <http://www.epa.gov/ceppo/>, EPA's Chemical Emergency Preparedness and Prevention Office Home Page.

REGULATORY RELIEF FOR RETAIL GAS STATIONS

As noted above, on June 8, 1998, EPA proposed several regulatory changes under EPCRA aimed at relieving certain facilities from routine reporting of information that is not useful to the community. One of these proposed changes involved raising the reporting threshold for gasoline (all grades combined) to 75,000 gallons and diesel fuel to 100,000 gallons. This raised threshold would apply only to retail gas stations that store their fuel entirely underground and are in full compliance with underground storage tank (UST) regulations at title 40, Code of Federal Regulations, Part 280. Finalization of this proposed change is now scheduled for February 1999.

This rule would affect reporting under the Federal law only--retail gas stations in states with more stringent requirements still may be required to report inventories of gas and diesel fuel. Also, State Emergency Response Commission's (SERC's) and Local Emergency Planning Committee's (LEPC's) may still request reporting for chemicals below the established Federal threshold--and facilities would then be required to comply.

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SUPPORTING THE NATIONAL TOXIC RELEASE INVENTORY (TRI) PUBLIC DATA RELEASE

EPCRA requirement is for manufacturers (SIC Codes 20 through 39) with 10 or more employees to submit "Form R" reports to the EPA annually on July 1st for the "Toxic Release Inventory" (TRI) listed chemicals. When chemicals are either "used," manufactured, or incorporated into products in quantities above stated thresholds, reports must be submitted. EPA has provided an alternate threshold for facilities that do not exceed a 500 pound reportable amount. Facilities that do not exceed the alternate threshold may fill out a Form A certification statement.

EPA has also completed rulemaking directed to expansion of the SIC Code base to be used for submission of the Form R and the Form A certification statement. A final rule was published 5/1/97 FR pp. 23833-92. This rule is now included in Item K-29. Additional industries added for reporting included groups under: metal-mining, coal mining, electric utilities, commercial hazardous waste treatment, chemicals and allied products-wholesale, petroleum terminals and bulk plants-wholesale, and solvent recovery services. This rule was effective December 31, 1997, for the report year beginning January 1, 1998. These reports must be

submitted by July 1, 1999.

There are other changes in the Toxic Release Inventory (TRI) reporting now under consideration by the EPA. One change concerns addition of more data elements for the TRI reporting, and an advance notice of proposed rule-making on the additional data elements to be considered has been published in the 10/1/96 FR pp. 51321-331. Another Proposed rule, 5/7/97 FR pp. 24887-96 addresses addition of dioxin compounds for TRI reporting. These are included in Item K-29. Another change would involve lowering the reporting thresholds on persistent and bioaccumulative items such as dioxins, mercury, and PCBs. A proposed rule on this change has been published in the 01/05/1999 FR pp 686-729, also included in K-29.

Also, another change underway in TRI reporting is the development of definitions for the data elements required to be reported to TRI pursuant to the Source Reduction and Recycling Report provision of the Pollution Prevention Act of 1990. These definitions would be for information on production related amounts of chemicals recycled, burned for energy recovery, and treated and released, both on and off site, for the report year, as well as the prior year and two years following. A supplementary Notice of proposed rule-making is expected in Fall 1999.

1996 TOXIC RELEASE INVENTORY (TRI) PUBLIC DATA RELEASE

The 1996 Annual Toxic Release Inventory (TRI) public data base publications have been published. The titles and publication numbers for these documents are 1996 Toxics Release Inventory Data release, EPA 745-R-98-005 and 1996 Toxics Releases Inventory Public Data Release State Fact Sheets, EPA 745-F-98-001. Copies of these documents may be obtained by calling the Emergency Planning and Community (EPCRA) hotline at (800) 535-0202 (in the Washington D.C. area, (703) 412-9877) or they may be found at the Web site <http://www.epa.gov/oppintri/pubdat96.html>

SUPERFUND COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT (CERCLA)

CERCLA LENDER LIABILITY GUIDANCE

One of the goals of the Final CERCLA Lender Liability Rule, published in 4/29/92 FR, pp. 18344-85, was to allow lenders to work with their borrowers without necessarily incurring liability. However, in February 1994, the U.S. Court of Appeals, in the case Kelly vs. EPA, struck down this Rule, finding that the EPA lacked authority to define the scope of liability by regulation. Following the Court action,

guidance was drafted to "translate" the Rule into a policy statement addressing lender liability and involuntary government acquisitions. This policy statement was issued December 11, 1995. A Fact Sheet on effect of Superfund on lenders was published in June 1997. The Rule and the policy statement are included in Item D-17.

THE TOXIC SUBSTANCE CONTROL ACT (TSCA)

LEAD; TSCA403; IDENTIFICATION OF DANGEROUS LEVELS OF LEAD

In accordance with Section 403 of TSCA as amended by the Residential Lead-Based Paint (LBP) Hazard Reduction Act of 1992, EPA is to promulgate regulations that identify lead-based paint hazards, lead-contaminated dust, and lead-contaminated soil. An interim guidance was published in 60 FR 47276, 9/11/95 which will continue to serve as EPA's official policy until the final rule is promulgated. A proposed rule was published in 63 FR 30302, 6/3/98; Part 745, Subpart D, Lead-Based Paint Hazards. Item E-45.

LEAD-BASED PAINT (LBP); FEES FOR ACCREDITATION AND CERTIFICATION ACTIVITIES

The Toxic Substances Control Act (TSCA), Section 402(a), mandates implementing a fee schedule for lead-based paint activities. The fee schedule will establish a framework for states to process applications for training courses and for certification of workers engaged in lead-based paint activities. A final rule was published in the Federal Register 9/2/98 (p 46668). Subsequently, in the Federal Register 10/16/98 (p 55547) the final rule was withdrawn due to receiving significant adverse comments. Item E-48

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 were published in the FR 12/18/98, pp 70190 and 70233. Item E-47

DISPOSAL OF POLYCHLORINATED BIPHENYLS (PCBS)

EPA has amended its rules under the Toxic Substances Control Act (TSCA) which address the manufacture, processing, distribution in commerce, use, cleanup, storage and disposal of polychlorinated biphenyls (PCBs). This rule provides flexibility in selecting disposal technologies for PCB wastes and expands the list of

available decontamination procedures; provides less burdensome mechanisms for obtaining EPA approval for a variety of activities; clarifies and/or modifies certain provisions where implementation questions have arisen; modifies the requirements regarding the use and disposal of PCB equipment; and addresses outstanding issues associated with the notification and manifesting of PCB wastes and changes in the operation of commercial storage facilities. This rule codifies policies that EPA has developed and implemented over the past years.

This rule will streamline procedures and focuses on self-implementing requirements and the elimination of duplication. Some activities formerly requiring PCB disposal approvals no longer require those approvals. EPA believes that this Rule will result in substantial cost savings to the regulated community while protecting against unreasonable risk of injury to health and the environment from exposure to PCBs.

This rule became effective on August 28, 1998. Copies of this Rule may be requested under Item E-3 of our publication listing in "Information for Small Business."

GENERAL

ENVIRONMENTAL MANAGEMENT SYSTEMS (EMS) IMPLEMENTATION GUIDE

Recognizing the potential difficulties faced by small and medium organizations wishing to put EMSs in place, EPA's Offices of Water and Compliance Assurance have produced a guide to EMS implementation specifically to the needs of these types of organizations. The Guide is based on the elements of the ISO 14001 standard and is written in plain, easy to understand language. Several small organizations worked with EPA and National Science Foundation (NSF) NSF to design and review the Guide and are presently using it. The Guide provides a step-by-step approach for putting an EMS in place and gives a number of examples from companies that have already done so. Contact person is Jim Horne, (202) 260-5802. INTERNET: http://www.icubed.com/epa_sbo/index.html. The Guide also provides tips for putting in place an effective approach for managing an organization's compliance with regulatory requirements and using pollution prevention techniques to enhance the environmental management system. For copies of the Guide, call 1- (800) 368-5888, Item B-12

EPA'S COMMON SENSE INITIATIVE RECEIVES VICE PRESIDENT'S HAMMER AWARD

On Thursday, December 17, Vice President Gore's Hammer Award was presented to Carol Browner, Administrator of the Environmental Protection Agency, on behalf of all participants in the Common Sense Initiative. This prestigious award was presented for bringing common sense reform to environmental regulations. "This Common Sense Initiative is reinventing government at its

best," Vice President Gore said. "Together, government, industry and the private sector are finding new, more effective ways to protect our environment and our children."

One of the most significant outcomes of the Common Sense Initiative was the National Strategic Goals Program (SGP). The Strategic Goals Program is a first-of-its-kind program that sets voluntary, better-than-compliance performance goals for metal finishing facilities. Participating metal finishers will use pollution prevention approaches of their choosing to become: *cleaner* by reducing hazardous emissions, *cheaper* by saving money and providing economic advantages and *smarter* by conserving resources.

The facilities performance targets are linked with a comprehensive set of action commitments by EPA, State Governments, Publicly Owned Treatment Works (POTWs), Non-governmental Organizations (NGOs), and the national Industry Trade Groups. By implementing this action plan nationwide, stakeholders are providing incentives, creating tools, and removing barriers for metal finishing facilities to achieve the pollution prevention (P2) oriented goals.

Since its launch in January 1998, the Strategic Goals Program has had a tremendous response from supporters. To date, 17 States, 31 POTWs, and over 270 companies have committed to participate in the program.

For more information about the Strategic Goals Program, including an overview of the program and an on-line, searchable database of program participants nationwide, visit the SGP website at <http://www.strategicgoals.org>.

SMALL LAB ENVIRONMENTAL MANAGEMENT ASSISTANCE GUIDE

See the 2-page 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 Homepage www.epa.gov/sbo and the State Small Business Homepage www.small.biz.enviroweb.org. See Item B-16.

RESOURCE GUIDE FOR SMALL BUSINESS ENVIRONMENTAL ASSISTANCE

Under a grant from the Office of the Small Business Ombudsman, the Iowa Waste Reduction Center (IWRC), University of Northern Iowa, has completed a multi-media Resource Guide for Small Business Assistance Providers. This Guide provides a quick and convenient reference tool for locating environmental assistance materials (regulatory and non-regulatory) that have been developed mostly by the states, and some by EPA. The Guide has been developed in cooperation with all the states and is primarily for assistance providers to be used as reference document. The information included will be extremely useful in helping locate readily available materials from other states in an effort to not "reinvent the wheel."

These materials will also be useful to state and local assistance providers and small businesses in becoming educated on environmental regulations and pollution

prevention.

The Guide is available in electronic format with search and report generation capabilities, and detailed instructions. There is also a rating system which indicates relevance and type of use for which most suitable. The Guide has had extensive state review. See Item B-18.

ENERGY STAR ASKS, "WHAT'S YOUR SHARE OF \$15 BILLION A YEAR?"

The EPA's voluntary **ENERGY STAR** Small Business service recently analyzed 35 case studies of energy efficiency upgrades and found dollar savings, on a per square foot basis, virtually the same as large corporate projects. The 35 small businesses are collectively saving nearly \$420,000 per year, or about \$0.40 per square foot. **ENERGY STAR** Small Business estimates that from \$10 billion to as much as \$15 billion might be saved by the nation's small businesses through energy efficiency, and a range of 102 million tons to 152 million tons of climate change emissions may be prevented.

Most case studies are from EPA's 1,600 "Partners" in its free **ENERGY STAR** Small Business service; others achieved their savings with help from their electric utility, or private vendors. The **ENERGY STAR** Small Business service is unbiased, free, and involves no reporting or inspections. National awards, recognizing excellent upgrade projects, will be presented in each state during National Small Business Week, this spring. Copies of the case studies may be requested at the **ENERGY STAR** hotline, or downloaded from the **ENERGY STAR** Small Business website. The website also offers a free e-mail newsletter, finance directory, and other objective technical information on saving money through energy efficiency. The hotline also provides free, unbiased technical information and support services.

ENERGY STAR expects at least 2,000 more small firms to become Partners in 1999. For more information on the free service, awards, or other support call toll-free 1-888 STAR YES, or visit the website at www.epa.gov/smallbiz.

EPA SMALL BUSINESS OMBUDSMAN (800) 368-5888

COMPLIANCE ADVISORY PANEL TRAINING PLANNED FOR 1999

Another Compliance Advisory Panel (CAP) training program is being planned for 1999. The training will be held on Sunday, April 18, 1999 in conjunction with the SBO/SBAP National Conference in Tampa, FL. The highlight of the training will be the presentation of the CAP Guidance Manual, which is currently under development. Detailed information about the training program will be sent to all state and territory programs in early 1999.

CAP MANUAL IN THE WORKS

A guidance manual for Compliance Advisory Panels (CAPs) is being prepared to assist members in operating a successful CAP. While CAPs may organize in the manner best suited to the goals of their state or territory Section 507

program under the Clean Air Act Amendments of 1990, this manual is intended to serve as a resource for CAPs during their organizational period and in carrying out their duties. Anticipated topics include: CAP By-laws, meeting minutes, profiles of CAP projects, relevant acts affecting the CAP's work, working relationships with Small Business Ombudsmen and Small Business Assistance Program staffs, etc. The manual will be presented at the 1999 SBO/SBAP National Conference in Tampa, FL.

SOURCE BOOKS ON ENVIRONMENTAL AUDITING

EPA's Environmental Auditing Source Book for Small Business is a compilation of the bibliography, the training list, and a summary matrix of these trainings that will act as a quick reference to the fifteen courses listed. See B-14. Also available is the Small Business Environmental Assistance Site Visit Manual prepared by the Iowa Waste Reduction Center, University of Northern Iowa, see B-17. Both these documents can be obtained by calling the EPA SBO's Office at 1-(800) 368-5888.

EPA COMPLIANCE ASSISTANCE TOOLS

The Office of Compliance (OC) has produced a booklet, Item B-8, that offers a comprehensive listing of all OC projects that are currently available and/or under development. The projects are organized by industry sector, with 20 sectors covered. The tools include: databases, documents, web sites, video, plain-language guides, sector notebooks, etcetera. A contact person is listed for each document to acquire more information. To get a copy of the document, call 1-800-368-5888.

PERFORMANCE MEASUREMENTS IMPLEMENTATION TEAM NEEDS YOUR HELP!

As a result of recommendations from the Performance Measurements Working Session at the 1998 State SBO/SBAP Conference in Scottsdale, Arizona, the Implementation Team has begun posting existing performance measurement tools and success stories on the internet. Please note that this section is under initial development, so stop by often to see new changes! The performance measurement tools and success stories are available for direct downloading, revision, and use from the Small Business Environmental Home Page (www.smallbiz-enviroweb.org) at the following address:

<http://www.smallbizenviroweb.org/perfmeas.html>

THIS EFFORT STILL NEEDS YOUR HELP! Please send any performance measurement

tools/surveys/success stories to Audrey Zelanko at CTC, 320 William Pitt Way, Pittsburgh, PA 15238. Electronic copies in word perfect or word formats would be the most helpful. You can send disks to the above address, or email attachments to: zelankoa@ctc.com, audreyz@ccia.com, and bosilovich@ctc.com. If electronic copies are not available, you can fax hard copies to: (412) 826-6810 or mail them to the above address.

If you have any questions, please call Rose Marie Wilmoth, Air Quality Representative for Small Business, Kentucky Department for Environmental Protection, and Implementation Team Leader at: (502) 564-2150, or Audrey Zelanko at: (412) 826-6807. THANKS in advance for your help!

**1999 STATE SMALL BUSINESS OMBUDSMAN
AND TECHNICAL ASSISTANCE PROGRAM CONFERENCE
TAMPA, FLORIDA
PLEASE MARK YOUR CALENDARS!**

The State Small Business Ombudsman and Small Business Technical Assistance Programs, which are required under Section 507 of the 1990 Clean Air Act Amendments to aid small businesses impacted by air quality regulations, will hold their conference in Tampa, Florida, on April 18-21, 1999.

EPA'S SIX PRINCIPLES OF CUSTOMER SERVICE

1. Be helpful! Listen to your customer.
2. Respond to all phone calls by the end of the next business day.
3. Respond to all correspondence within 10 business days.
4. Make clear, timely, accurate information accessible.
5. Work collaboratively with partners to improve all products and services.
6. Involve customers and use their ideas and input.

EPA POLICIES ASSIST SMALL BUSINESSES WITH ENVIRONMENTAL COMPLIANCE

EPA's Office of Enforcement and Compliance Assistance (OECA) has issued the following policies to respond to the environmental compliance needs of small business: *Policy on Compliance Incentives for Small Business*, *Final Policy on Environmental Self-Auditing and Self-Disclosure*, and *Enforcement Response Policy*. Under these policies, the Agency will protect public health and the environment by providing small businesses with incentives to proactively pursue environmental compliance and pollution prevention activities. These policies are briefly described below.

POLICY ON COMPLIANCE INCENTIVES FOR SMALL BUSINESS

EPA issued the *Final Policy on Compliance Incentives for Small Businesses*, effective June 10, 1996, to provide small businesses with incentives to participate in on-site compliance assistance programs and to conduct environmental audits. This policy supersedes the June 1995 Interim version and expands upon EPA's 1994 Enforcement Response Policy under the Clean Air Act Section 507. The policy implements, in part, the Executive Memorandum on Regulatory Reform (60 FR 20621, April 26, 1995) and Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (signed into law on March 29, 1996) (SBREFA). Under this policy, EPA will eliminate or mitigate civil penalties provided the small business satisfies all of the following four criteria:

- The small business has made a good faith effort to comply with applicable environmental requirements (through on-site assistance programs or voluntary audits and disclosures).
- The small business was not subject to any enforcement actions pursuant to this policy for the current 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 small business corrects the violation and remedies any associated harm within six months of discovery; an additional six months may be granted if pollution prevention technologies are being used.
- The violation has not caused and does not have the potential to cause serious harm to public health, safety, or the environment; it does not have the potential to present imminent and substantial endangerment to public health or the environment; and it does not involve criminal conduct.

For more information on this policy, contact *Ginger Gotliffe*, Office of Compliance, at (202) 564-7072..

FINAL POLICY ON ENVIRONMENTAL SELF-AUDITING AND SELF-DISCLOSURE

EPA issued the *Final Policy on Environmental Self-Auditing and Self-Disclosure*, effective January 22, 1996, to provide businesses of all sizes with incentives to voluntarily discover, disclose, and correct violations of environmental rules and regulations. Under this final policy:

- EPA will not seek gravity-based penalties and will not recommend criminal prosecution against the company if the violation results from the unauthorized criminal conduct of an employee (provided certain conditions of the policy are met).
- EPA will reduce gravity-based penalties by 75% when violations are discovered by means other than environmental audits or due diligence efforts, and are promptly disclosed and expeditiously corrected (also assuming certain conditions of the policy are met).

Under both scenarios, however, EPA, may still recover economic benefits gained as a result of noncompliance.

For more information on this policy, contact *Brian Riedel* at (202) 564-5006.

ENFORCEMENT RESPONSE POLICY

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

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

For more information on this policy, contact *Ginger Gotliffe* at (202) 564-7072 or *Elliot Gilberg* at (202) 564-2310.

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

EPA ASSISTS SMALL BUSINESSES BY ESTABLISHING COMPLIANCE CENTERS

In partnership with industry, academic institutions, environmental groups, and other federal agencies, EPA's Office of Compliance has established telecommunications-based or "virtual" national Compliance Assistance Centers for nine specific industry sectors. These sectors include printing, metal finishing, automotive services and repair, agriculture, transportation, printed wiring board manufacturing, chemic manufacturing, paints and coatings applicators and local governments each of which is heavily populated with small businesses and governments that face substantial federal regulation.

These Compliance Assistance Centers are designed to provide small businesses with "first-stop" compliance information sources, links to states and local governments readily available information transfer via the Internet, a variety of compliance assistance tools, links between pollution prevention and compliance goals, and information on ways to reduce the costs of compliance. They also serve the assistance provider community by providing forums for exchange of information and process- based training.

EXISTING CENTERS

The National Metal Finishing Resource Center (NMFRC) is the most substantial, comprehensive environmental compliance, technical assistance, and pollution prevention information source available to the metal finishing industry. As an Internet Web Site, NMFRC also serves as an information resource and distribution channel for technical assistance programs (TAPs). Services and products include an EPA Regulatory Determinations collection pertaining to metal finishing, performance and cost comparisons across technology options, pollution prevention case studies, and vendor information.. For further information, contact Paul Chalmer (734-995-4911) at the National Center for Manufacturing Science or Scott Throwe (202-564-7013) at EPA. Internet: www.nmfrc.org

The Printer's National Compliance Assistance Center (PNEAC) electronically links trade, governmental and university service providers to efficiently provide the most current and complete compliance assistance and pollution prevention information to the printing industry. This information is provided through two list servers (PRINTECH and PRINTREG), a World Wide Web home page, satellite training, and "best-in-class" pollution prevention/compliance information. For further information, contact Gary Miller (217-333-8942) at the Illinois Hazardous Waste Research and Information Center or Ginger Gotliffe (202-564-7072) at EPA. Internet: www.pneac.org. 1-888- USPNEAC

The Automotive Compliance Information Assistance Center (GreenLink™) provides information on a variety of topics including used oil management, floor drains, underground storage tanks, pollution prevention alternatives, hazardous waste, emergency spill procedures, antifreeze, paint thinners, air conditioning repair. For further information, contact Sherman Titens (913 498-2227) at CCAR or Everett Bishop (202-564-7032) at EPA. Internet://www.ccar-greenlink.org. 1-888 GRN-LINK

The National Agriculture Compliance Assistance Center provides a definitive source of environmental compliance information for the agricultural community. Information topics include pesticides; animal waste management; non-point-source pollution; agricultural worker protection; groundwater, surface water, and drinking water protection; and wetlands protection. For further information, contact Ginah Mortensen (913-551-7207) at EPA. Internet: www.epa.gov/oeca/ag/

The Printed Wiring Board Center provides the industry with easy access to current and comprehensive information on pollution prevention and regulatory compliance assistance, building upon the metal finishing center infrastructure and information systems. For further information, contact Steve Hoover (202-564-7007). Internet: [http:// www.pwbrc.org](http://www.pwbrc.org)

The Chemical Manufacturers Center serves both technical assistance providers and industries needs to keep up-to-date on federal rules and pollution prevention. Key features include a "virtual plant tour" an "Expert Help Feature" and "Make Your Own BookMarks" For further information, contact Emily Chow (202-564-7071). Internet: <http://www.chemalliance.org> 1-800-672-6048

The Local Government Environmental Assistance Center provides ready access to general compliance information for local government officials through the development of a network that will provide a central location for access to federally-developed, local government compliance assistance information. Contact John Dombrowski (202) 564-7036. Internet: <http://www.lgean.org> 1-877-TO-LGEAN

The Transportation Compliance Assistance Center is designed to help a wide variety of transportation companies stay on top of the latest environmental requirements and technologies. For more information, contact Virginia Lathrop at (202) 564-7057. Internet: <http://www.transource.org/> 1-888-459-0656

Paints and Coatings Center: This Center is designed to help coatings facilities: Cost effectively achieve compliance with federal, state, and local environmental regulations; Locate key resources related to manufacturing, waste management, and energy users implement innovative pollution prevention strategies that will save them money; Communicate with the industry members on environmental issues; Access industry-specific documents; Assess their environmental performance relative to other facilities. For more information contact: Anthony Raia at 202-564-6045. Internet: <http://www.paintcenter.org/>

For general information on all Compliance Assistance Centers, contact Andy Teplitzky (202-564-5082) Internet: <http://www.epa.gov/oeca/mfcac.html>

STATE SMALL BUSINESS ASSISTANCE PROGRAMS

SMALL BUSINESS SPECIAL NEEDS:

Congress recognized the particular problems that many small businesses would have in dealing with the 1990 Clean Air Act Amendments complex requirements. A typical small business employs fewer than 50 people, and is the only business operated by the owner. It is the corner dry cleaner, the “mom and pop” bakery, the auto body repair shop, gasoline service station, the machine, tool and dye company, or one of a host of other local business establishments. Many have been in the same family and neighborhood for generations.

Air pollution control regulation may seem very complex to many small businesses. Many may not be able to afford to hire lawyers or environmental specialists to interpret and comply with all the requirements they may be responsible for in the new Act. Most may be hard pressed to inform themselves about the most basic requirements and deadlines of the control programs that will affect them, let alone the more complicated issues they are going to have to address to control air emissions, such as:

- The types of pollutants their company emits that are subject to the Act's requirements;
- The methods they can use to estimate emissions for a permit application;
- The types of control technologies that are best and least costly for controlling a specific production process or chemical substance they use to make goods and services; and
- Process or substance substitutes they can use to prevent or reduce emissions.

STATE LEAD FOR PROVIDING SMALL BUSINESS ASSISTANCE:

The 1990 Clean Air Act Amendments gives each state government the lead in developing and implementing a *Small Business Technical and Environmental Compliance Assistance Program* as part of legally enforceable state implementation plans.

THE ACT'S DEFINITION OF A SMALL BUSINESS:

The Act establishes certain criteria that a company must meet to qualify for assistance as a small business. It must be a small business as defined in the *Small Business Act* which generally means that it is an independently owned and operated concern that is not dominant in its field. The business must be owned by a person who employs 100 or fewer individuals, and cannot be a *major stationary source* of either a primary urban (so called “criteria”) pollutant or toxic air pollutant. It cannot, in fact, emit 50 tons or more of a single pollutant a year, or more than 75 tons of all regulated pollutants. State governments can modify some of these requirements provided that the particular source does not emit more than 100 tons a year of all regulated pollutants.

FEDERAL OVERSIGHT AND SUPPORT:

EPA will be providing several forms of guidance and assistance to these state assistance programs for the full duration of the Act.

Federal Guidelines: EPA published final guidelines for states to draw upon to develop their assistance programs. The Agency has approved each state compliance and assistance program to ensure that it meets the Act's requirements.

Oversight and Monitoring: The EPA Small Business Ombudsman oversees and monitors all state assistance programs and makes periodic reports to Congress on each state's progress. Among other things, the EPA Ombudsman determines how well the state programs are working and makes sure that the information and assistance the states provide is understandable to the layman.

Technical Assistance and Research: EPA shares information and research that it has developed nationally with each state assistance and compliance program. States are able to receive technical assistance through several EPA Centers and Hotlines. These Centers and Hotlines provide a broad range of assistance including information concerning the Clean Air Act requirements, control technology data, pollution prevention methods and alternatives, emission measurement methods, air pollution monitoring devices, and prevention of accidental releases of toxic chemicals into the environment.

COMPONENTS OF AN OVERALL STATE ASSISTANCE PROGRAM

By November, 1992, each state was required to develop a plan for implementing a *Small Business Stationary Source Technical and Environmental Compliance Assistance Program*. Congress envisioned that these programs would be in place before small businesses begin to feel the direct effects or deadlines of the Act.

Each state program is required to include three components: (1) appointment of a state small business ombudsman; (2) establishment of a comprehensive small business assistance program; and, (3) appointment of a seven-member state compliance advisory panel.

- 1. State Ombudsman:** The first component is the State Ombudsman who acts as the small business community's representative in matters that affect it under the Clean Air Act. Other responsibilities of the State Ombudsman could be to:
 - Review and provide comments and recommendations to EPA and state/local air pollution control authorities regarding the development and implement of regulations that impact small businesses;
 - Help disseminate information about upcoming air regulations, control requirements, and other pertinent matters to small businesses;
 - Refer small businesses to the appropriate specialists in state government and elsewhere for help with particular needs (e.g., available control technologies and operating permit requirements); and,
 - Conduct studies to evaluate the effects of the act on state and local economies, and on small businesses generally.
- 2. Small Business Assistance Program (SBAP):** The second component of the overall state program is the Small Business Assistance Program which is the technical and administrative support component within the state government. The SBAP staff has access to air quality experts, technically proficient engineers, scientists and managers, and environmental specialists who provide support and technical assistance needed by small businesses to comply with the Act's requirements. Related responsibilities include:
 - Informing businesses of all requirements in the Clean Air Act that apply to them and the dates these requirements will apply;
 - Helping small businesses deal with specific technical, administrative and compliance problems;
 - Disseminating up-to-date information about the Clean Air Act to the small business community, including easy to understand public information materials; and,
 - Referring small businesses to environmental auditors who can evaluate how effective a company's work practices, monitoring procedures, and record-keeping are for complying with applicable clean air requirements.
- 3. State Compliance Advisory Panel:** The third component of the overall state assistance program consists of a seven-member *state compliance advisory panel* in each state for determining the overall effectiveness of the state SBAP. Four of these members must be small business owners or representatives selected by the state legislature; the governor of each state selects two other members to represent the "general public." The seventh member is chosen by the head of the state agency responsible for issuing operating permits.

The State compliance advisory panels reviews and renders advisory opinions on the effectiveness of the state SBAP, and makes periodic progress reports to EPA's Small Business Ombudsman concerning compliance of the small business program with other pertinent federal regulations. The compliance advisory panels also makes certain that information affecting small business is written in a style that is clear and understandable.

TYPES OF BUSINESSES SUBJECT TO AIR POLLUTION CONTROLS

This is a general list of the typical kinds of small type businesses affected by one or more of the air pollution control programs under the 1990 Clean Air Act Amendments. All small businesses should consult their state pollution control agency for more specific details about the controls that will be required in their area.

Agricultural Chemical Applicators
Asphalt Manufacturers
Asphalt Applicators
Auto Body Shops
Bakeries
Distilleries
Dry Cleaners
Foundries

Furniture Manufacturers
Furniture Repairs
Gasoline Service Stations
General Contractors
Hospitals
Laboratories
Lawnmower Repair Shops
Lumber Mills
Metal Finishers

Newspapers
Pest Control Operators
Photo Finishing Laboratories
Printing Shops
Refrigerator/Air Conditioning
Service and Repair
Tar Paving Applicators
Textile Mills
Wood Finishers

SMALL BUSINESS OMBUDSMEN AND TECHNICAL ASSISTANCE DIRECTORS

STATE	OMBUDSMAN	PHONE	TECH. ASST. DIR.	PHONE
AL	Blake Roper	(334) 213-4308 (N) (800) 533-2336	James Moore	(334) 271-7861 (N) (800) 533-2336
AK	David Wigglesworth	(907) 269-7582 (S) (800) 510-2332	Scott Lytle	(907) 269-7571 (S) (800) 510-2332
AZ			Gregory Workman	(602) 207-4337 (S) (800) 234-5677, x 4337
AZ MARICOPA COUNTY	Richard Pollito	(602) 506-5102		
AR	Robert Graham	(501) 682-0708		
CA	James Schonling	(916) 323-6791 (S) (800) 272-4572	Peter Venturini	(916) 445-0650 (800) 272-4572 (State)
CA South Coast AQMD	La Ronda Bowen	(909) 396-3235	Lee Lockie	(909) 396-2390
CO	Cathy Heald	(303) 692-2034 (s) (800) 886-7689	Nick Melliadis	(303) 692-3175 (N) (800) 333-7798
CT	Tracy Babbidge	(860) 424-3382 (S) (800) 760-7036	Glen Daraskevich	(860) 424-3545 (S) 800-760-7036
DE	George Pettigout	(302) 739-6400		
DC	Donald Wambsgans II	(202) 645-6093 x3067	Olivia Achuko	(202) 645-6093, x 3071
FL	Elsa Bishop	(850) 414-8399 (800) 722-7457 (S)	Elsa Bishop	(850) 414-8399 (800) 722-7457 (S)
GA	Marvin Lowry	(404) 362-2656	Anita Dorsey-Word	(404) 362-4842
HI	Anthony Ching	(808) 586-4527	Robert Tam	(808) 586-4200
ID	Doug McRoberts	(208) 373-0497		
IL	Don Squires	(217) 785-1625 (S) (888) 372-1996	Mark Enstrom	(217) 524-0169 (S) (800) 252-3998
IA	Linda King	(515) 242-4761 (S) (800) 358-5510	John Konefes	(319) 273-8905 (S) (800) 422-3109
IN	Maggie McShane	(317) 232-8958 (S) (800) 451-6027	Cheri Storms	(317) 233-1041 (S) (800) 451-6027
KS	Janet Neff	(913) 296-0669 (N) (800) 357-6087	Frank Orzulak	(785) 864-3978 (S) (800) 578-8898
KY	Rose Marie Wilmoth	(502) 564-2150 X128 (N) (800) 926-8111	Gregory Copley	(606) 257-1131 (N) (800) 562-2327
LA	Jim Friloux	(504) 765-0735 (S) (800) 259-2890	Dick Lehr	(504) 765-2453 (S) (800) 259-2890
MA			Rick Reibstein	(617) 727-3260 X688
MD	John Mitchell	(410) 631-3003 (S) (800) 633-6101, x3003	Andrew Gosden	(S) 410-631-4158 (N) 800-433-1247
ME	Ron Dyer	(207) 287-4152 (S) (800) 789-9802	Brian Kavanah	(207) 287-6188 (S) (800) 789-9802
MI	Dana Cole	(517) 335-1847	Dave Fiedler	(517) 373-0607 (N) (800) 662-9278
MN	Charlie Kennedy	(651) 297-8615 (S) (800) 985-4247	Troy Johnson	(651) 296-7767 (S) (800)282-6143
MO	Greg Johnston	(573) 751-3222	Byron Shaw	(573) 526-5352 (N) (800) 361-4827

STATE	OMBUDSMAN	PHONE	TECH. ASST. DIR.	PHONE
MS	Jesse Thompson	(601) 961-5171 (N) (800) 725-6112		
MT	Karen Ekstrom	(406) 444-2960 (N) (800) 433-8773	Warren Norton	(406) 444-5281 (N) (800) 433-8773
NE	Dan Eddinger	(402) 471-3413		
NV	Marcia Manley	(702) 687-4670, x3162 (S) (800) 992-0900, x4670	Janet Goodman	(702) 687-4670, x3164 (S) (800) 992-0900, x4670
NH	Rudolph Cartier	(603) 271-1379	Rudolph Cartier	(603) 271-1379
NJ	Lauren Moore	(609) 292-3863 (N) (800) 643-6090	Chuck McCarty	(609) 292-3600
NM	Robert Horwitz	(505) 827-9685 (N) (800) 810-7227	Cecilia Williams	(505) 827-0042 (N) (800) 810-7227
NY	Tria Case	(212) 803-2282 (N) (800) 782-8369	Marian Mudar	(518) 457-9135 (S) (800) 780-7227
NC	Edythe McKinney	(919) 733-0823 (800) 829-4841 (N)	Fia Johnson	(919) 733-0824 (N) 800-829-4841
ND	Jeff Burgess	(701) 328-5153 (800) 755-1625 (S)	Tom Bachman	(701) 328-5188 (S) (800) 755-1625
OH	Mark Shanahan	(614) 728-3540 (S) (800) 452-4011	Rick Carleski	(614) 728-1742
OK	Steve Thompson	(405) 271-8056	Alwin Ning	(405) 271-1400
OR	Paul Burnet	(503) 229-5776 (800) 452-4011 (S)	Jill Inahara	(503) 229-6147 (S) (800) 452-4011
PA	Greg Czarnecki	(717) 772-8951	Cecily Beall	(215) 656-8709 (N) (800) 722-4343
PR	Tomas DeLeon	(787) 724-1451	María Rivera	(809) 767-8025 X296
RI	Roger Green	(401) 222-2771 X2402 (800) 932-1000 (S)	Pam Annarummo	(401) 222-6822 X7204 (S) (800) 253-2674 (S)
SC	Phyllis Copeland	(803) 898-3997 (800) 819-9001 (N)	Rose Stancell	(803) 898-3981 (N) (800) 819-9001 National)
SD	Joe Nadenicek	(605) 773-3151 (800) 438-3367 (S)	Bryan Gustafson	(605) 773-3351 (S) (800) 438-3367 (State)
TN	Ernest Blankenship	(615) 741-5262 (N) 800-734-3619 (National)	Linda Sadler	(615) 532-0779 (N) (800) 734-3619
TX	Tamra- Shae Oatman	(512) 239-1062 (800) 447-2827 (N)	Bridget Bohac	(512) 239-1056 (N) (800) 447-2827
UT	Stephanie Bernkopf	(801) 536-4479	Ron Reece	(801) 536-4091 (N) (800) 447-2827
VT			Judy Mirro	(802) 241-3745 (S) (800) 974-9559
VA	John Daniel	(804) 698-4311 (800) 592-5482 (S)	Richard Rasmussen	(804) 698-4394 (S) (800) 592-5482
VI	Marylyn Stapleton	(340) 777-4577	Marylyn Stapleton	(340) 777-4577
WA	Leighton Pratt	(360) 407-7018	Bernard Brady	(360) 407-6803
WV	Kenneth Shaw	(304) 558-1218 (S) 800-982-2474	Fred Durham	(304) 558-1217 (S) (800) 982-2474
WI	Hampton Rothwell	(608) 267-0313 (800) 435-7287 (N)	Pam Christenson	(608) 267-9214 (N) (800) 435-7287
WY	Dan Clark	(307) 777-7388	Charles Raffelson	(307) 777-7347

Note: (S) = State (N) = National

State Pollution Prevention Technical Assistance Programs

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US EPA Region 1

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US EPA Region 3

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Office of Small and Disadvantaged Business Utilization

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

Direct Procurement Program

DESCRIPTION

The Office develops, in collaboration with the Director of the Office of Acquisition Management, Office of Administration and Resources Management, 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 procedures impacting socioeconomic businesses
- ▶ Establish and monitor direct procurement goals for:
 - Small Business
 - Small Disadvantaged Business 8(a)
 - Minority Business
 - Labor Surplus Area Concerns
 - Subcontracting
- ▶ 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)
- ▶ Educational Training Program (Cosponsorships with Workshops, Seminars and Trade Fairs)
- ▶ Provides technical and management assistance to small, disadvantaged business enterprises and women-owned entities, and HBCUs
- ▶ Liaison with Trade Associations, Business Organizations, and Federal Agencies, including: Small Business Administration, Minority Business Development Agency of Department of Commerce, Office of Federal Procurement Policy, OMB, Congress, General Services Administration, on Socioeconomic matters

The Office of Small and Disadvantaged Business Utilization (OSDBU) has a new *Outreach Center* that officially opened on October 20, 1998 for small, minority and women-owned firms to come in and use our facilities to surf the Internet for business opportunities. Our Center is set up in a private room with a computer, printer and informational packages that will be very informative in your journey in looking for opportunities on how to do business with EPA. If you have any questions during your visit, there will be experienced personnel on hand to assist you. Hours of operations are 9:00 am until 4:00 pm, you can call for an appointment at (202) 260-4100.

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 area 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	James Younger Sharon Molden	CT, ME, RI, MA, NH, VT	(617) 565-3427 (617) 565-9012
II	Otto Salamon	NJ, NY, PR, VI	(212) 637-3417
III	Romona McQueen	DE, DC, MD, PA, VA, WV	(215) 814-5155
IV	Brenda Banks Dorothy Dimsdale	AL, FL, GA, KY, MS, NC, SC, TN	(404) 562-8420 (404) 562-8398
V	Robert Richardson	IL, IN, MI, MN, OH, WI	(312) 353-5677
VI	Debora Bradford	AR, LA, NM, OK, TX	(214) 665-7406
VII	Pradip Dalal	IA, KS, MO, NE	(913) 551-7535
VIII	Maurice Velasquez	CO, MT, ND, SD, UT, WY	(303) 312-6862
IX	Joe Ochab	AZ, CA, HI, NV, AS, GU	(415) 744-1628
X	Marie McPeak	AK, ID, OR, WA	(206) 553-2894
Cincinnati	Norman White		(513) 487-2024
Headquarters	Lupe Saldana		(202) 564-5353

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

REQUEST FOR PUBLICATIONS

Office Small Business Ombudsman (OSBO)

WINTER 1999

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: _____ (Indicate, or Circle Below) No. Employees: 1-99 _____ 100-499 _____ 500-Up _____

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-12	C-22	C-54	C-75	D- 3	E- 4	E-28	F- 5	G- 9	I- 8	I-30	J-10	K-22	K-48
A- 3	B-13	C-23	C-55	C-76	D- 5	E- 5	E-29	F- 6	G-10	I- 9	I-31	J-11	K-23	K-49
A- 4	B-14	C-24	C-56	C-77	D- 6	E- 6	E-31	F- 7	G-11	I-10	I-35	J-12	K-29	K-50
A- 5	B-15	C-25	C-57	C-80	D- 7	E- 7	E-32		G-12	I-11	I-36	J-13	K-30	K-51
A- 6	B-16	C-26	C-60	C-81	D- 8	E- 8	E-33	F- 9		I-12	I-37		K-31	K-52
A- 7	B-17	C-27	C-61	C-82	D- 9	E-10	E-34	F-10	H- 1	I-13	I-38	K- 1	K-32	K-53
A- 8	B-18	C-28	C-62	C-83	D-12	E-11	E-40	F-11	H- 2	I-14	I-40	K- 2	K-33	K-54
A- 9		C-31	C-63	C-84	D-13	E-12	E-41	F-12	H- 3	I-15	I-41	K- 3	K-34	K-55
A-10	C- 1	C-36	C-64	C-87	D-14	E-13	E-42	F-14	H- 4	I-16	I-42	K- 4	K-36	K-56
A-11	C- 9	C-37	C-65	C-88	D-15	E-14	E-43	F-15	H- 6	I-17	I-43	K- 5	K-37	K-57
A-12	C-10	C-38	C-66	C-89	D-16	E-19	E-44	F-16	H- 7	I-18	I-44	K- 6	K-38	K-58
A-13	C-11	C-39	C-68	C-90	D-17	E-20	E-45	F-17	H- 8	I-19	I-45	K- 7	K-39	K-59
A-14	C-12	C-41		C-91					H- 9	I-20	I-46	K- 9		K-60
B- 1	C-13	C-42	C-69	C-92	D-18	E-21	E-46	G- 1		I-21		K-10	K-40	
B- 2	C-14	C-43	C-70		D-19	E-22	E-48	G- 2	I- 1	I-22	J- 1	K-11	K-41	
B- 3	C-15	C-44	C-71	D- 1		E-23	E-50	G- 3	I- 2	I-23	J- 2	K-13	K-42	
B- 4	C-16	C-45	C-73	D- 2	E- 1	E-24	E-51	G- 4	I- 3	I-24	J- 3	K-14	K-43	
B- 5	C-17	C-47	C-74		E- 2	E-25	E-53	G- 5	I- 4	I-25	J- 5	K-15	K-44	
B- 6	C-18	C-50			E- 3	E-26		G- 6	I- 5	I-26	J- 6	K-16	K-45	
B- 7	C-19	C-51				E-27	F- 1	G- 7	I- 6	I-27	J- 7	K-19	K-46	
B-10	C-20	C-52					F- 2	G- 8	I- 7	I-28	J- 8	K-20	K-47	
B-11	C-21	C-53					F- 3			I-29	J- 9	K-21		

Mail to:
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In the D.C. area, (202) 260-1211,
or Telefax (202) 401-2302

Remarks/Other Materials Requested: _____