



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



### SMALL BUSINESS OMBUDSMAN

1200 Pennsylvania Avenue (1808T)  
Washington, DC 20460

Main Line: 202/566-2822 • Fax: 202/566-0954

#### Karen V. Brown

Small Business Ombudsman, Asbestos Ombudsman,  
and EPA's SBPRA Point of Contact

*We Are Opening Doors for America's Small  
Businesses!*

**EPA's Small Business Ombudsman's Mission:** To assure that EPA responsibly addresses small business environmental issues.

The Program serves as both the **EPA Small Business Ombudsman (SBO)**, and the Overseer of the **State Small Business Environmental Assistance Programs**, established by the Clean Air Act Amendments of 1990. The Program also houses the **EPA Asbestos Ombudsman** and is the **EPA Point of Contact** under the **Small Business Paperwork Relief Act of 2002**.

- Serve as a port of entry for small businesses to EPA on environmental issues
- Advocate consideration of small business regulatory issues and regulatory relief inside EPA
- Coordinate small business environmental and compliance issues and activities within EPA
- Resolve disputes between small businesses and EPA dealing with policies and regulations
- Establish cross-agency small business forum to discuss small business focus topics
- Organize the Deputy Administrator Meeting with Small Business Trade Associations
- Review EPA rules, guidance, and policies for potential small business impact and provide early warning of rules with potential impacts
- Participate on cross-agency regulatory development workgroups to develop specific rules, identify potential impacts on small businesses, and represent small business interests
- Develop environmental performance enhancing tools for local assistance providers
- Prepare Report to Congress on the status of CAAA State Section 507 Programs
- Manage contracts and grants to strengthen State Small Business Environmental Assistance Programs
- Sponsor Annual SBO/Small Business Assistance Program National Conference
- Conduct Annual EPA Small Business Regional Liaison Conference
- Develop plain English compliance guidance, factsheets and checklists for small businesses
- Prepare semi-annual Newsletter, *SBO Update*, for over 20,000 internal and external customers
- Distribute small business environmental publications, regulations, guidance, and tools
- Maintain website with extensive links to other assistance sources (see below)
- Offer satellite downlink seminars to educate small businesses on new EPA regulations

Toll-Free Hotline: **800/368-5888**

[www.epa.gov/sbo](http://www.epa.gov/sbo)

[www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

## ***Accomplishments and Progress in 2006***

The ***EPA Small Business Ombudsman (SBO) Team*** continues to work in a variety of ways to help small businesses and the environment. We would like to share some of our accomplishments and progress to date. More detail on these activities is available in this section of the Update.

- ***Small Business Strategy and Implementation Plan*** – the SBO continues to implement EPA's Small Business Strategy. Working in partnership with our small business stakeholders is an important element of the Strategy. In July the SBO convened a meeting with the EPA Deputy Administrator and a group of trade association executives that represent small business. Other important activities for achieving the goals of the Strategy are listed below: the SBO/SBEAP National Conference, the Regional Small Business Liaison and State Meeting, and the SmallBiz website.
- ***Agency's Point of contact for the Small Business Paperwork Relief Act (SBPRA)*** – the SBO continues to serve as the Agency's point of contact for the SBPRA. In this capacity, the SBO works with the Agency program offices to further reduce the information collection burdens on small businesses with fewer than 25 employees.
- ***SBO/SBEAP National Conference*** – The New Hampshire Department of Environmental Services hosted the 2006 National SBO/SBEAP Conference at the Mt. Washington Hotel & Resort in Bretton Woods, New Hampshire. This conference provided participants from across the country with the opportunity to exchange ideas and learn from each other.
- ***Small Business Assistance Program Training*** - Attendees at the 2006 SBO/SBEAP National Conference participated in a mandatory training session that will help to make the state SBO/SBEAP programs more effective. The training provided an overview of the 507 program components and how they can function together to be more effective. It also includes a segment on how to build the awareness and support of key stakeholders such as other government agencies, legislators, and governors. Participants also brainstormed to create action plans with strategies to address program weaknesses and leverage program strengths.
- ***Small Business Annual Awards Program*** - The third Annual Small Business Recognition Awards Ceremony was held at the national conference in Bretton Woods, NH. Dedicated environmental assistance programs, trade associations, and small business were honored for their work on small business and environmental stewardship.
- ***Regional Small Business Liaison and State Meeting*** – The SBO hosted the annual Regional Small Business Liaison and State meeting in Washington DC in August. At this important meeting, the state SBO/SBEAP programs and EPA regional small business liaisons had the opportunity to share strategies on how to be more effective. This meeting is also one of the two opportunities for the National Steering Committee to meet face to face each year.
- ***Benchmarking Environmental Performance*** – The SBO continued to support this benchmarking project through a grant with the National Center for Manufacturing Sciences. Data from surveys in several industries including printed wiring boards, metal foundries, and electroplating/metal finishing are available at <http://www.strategicgoals.org/benchmarking>.
- ***Small Business Environmental Homepage*** – This website ([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)) is an important source of information on environmental compliance and pollution prevention for small business environmental assistance providers, regulators and small business. It is also an important resource for the National Steering Committee and National Compliance Advisory Panel.
- ***Small Business Ombudsman Toll-Free Hotline*** – so far in 2006, there have been over 6,000 calls to the Small Business Ombudsman Hotline.

## **RECENT EPA DEPUTY ADMINISTRATOR MEETING WITH SMALL BUSINESS TRADE ASSOCIATIONS**

*July 18, 2006*

The Small Business Ombudsman hosted an informal meeting between EPA Deputy Administrator Marcus Peacock and several trade associations that represent small businesses. EPA has held these meetings, which gives the Agency the opportunity to hear the concerns of the small business community and to discuss potentially contentious issues, for the last twelve years. These meetings reflect the Agency's efforts of working cooperatively with stakeholders and are an important element of the Agency's Small Business Strategy. Topics discussed at the July 18 meeting included:

***Burden Reduction – Toxics Release Inventory (TRI)*** -- The Agency's TRI Burden Reduction efforts include improving electronic filing and expanding eligibility for using shorter forms.

***TRI Lead Rule*** -- The Agency is considering how the metals framework might affect the 2001 TRI Lead Rule as the framework is undergoing an interagency review. The Agency anticipates a decision on how to apply the framework to lead for the purposes of TRI by the end of the year.

***Spill Prevention Control and Countermeasures (SPCC) Rule*** -- In December 2005, EPA proposed to amend the SPCC rule and is currently in the final stages of internal review with the final rule expected in October 2006. Small businesses have advocated for consideration to exempt certain manmade structures from coverage by the SPCC program.

***Storm Water Permitting – Burden Reduction*** -- To reduce the burden on business, the Agency is working to allow a local authority to be identified as the lead permitting authority for storm water permits at construction sites.

***Multi-Sector General Permit (MSGP)*** -- In December 2005, the EPA proposed changes to the MSGP and is currently reviewing comments on the proposal, and plan to finalize it by fall 2006.

***Renovation, Repair, and Painting Program Proposal Overview*** -- The public comment period has closed. The Agency is currently reviewing the comments; no timeline has been issued.

***Ultra-low Sulfur Diesel Fuel Program*** -- This program started on June 1, 2006 and the Agency is spending time to make the implementation a success. For more information visit -- <http://www.clean-diesel.org/>.

***Final Amendments to Air Toxics Standards for Perchloroethylene (perc) Dry Cleaners*** -- On July 14, 2006, the Agency announced tighter rules for dry cleaners that use perc, including a phase-out of perc by dry cleaners in residential buildings.

***RCRA F006 (Metals Reclamation from F006 Waste Streams)*** -- Several trade associations raised concern about metals reclamation from F006 waste streams and recommended that EPA restart work on this rule to address the recycling and recovery of metals from F006 sludge.

For more information contact **Karen Brown** at (202) 566-2816, [brown.karen@epa.gov](mailto:brown.karen@epa.gov)

# **SMALL BUSINESS REGIONAL LIAISONS AND STATE MEETING**

***Jury's Washington Hotel  
1500 New Hampshire Ave. NW  
Washington, DC 20036***

***AUGUST 2 - 4, 2006***

Each year the Small Business Ombudsman (SBO) hosts the Small Business Regional Liaisons and State meeting in Washington, DC. This meeting gives the EPA regional liaisons and the state SBO/SBEAP National Steering Committee (NSC) an opportunity to meet face to face to discuss their activities, important issues, as well as goals and priorities. It is also an opportunity to hear updates on important regulatory issues that affect the small business community. The meeting included updates from each of the regions and the NSC subcommittees, details of which are presented below. Three major themes were identified during the meeting: 1) program support, 2) measurement, and 3) regulatory issues.

## **Program Support**

This discussion involved the need to enhance EPA support for the regional liaisons as well as for the state SBO/SBEAP programs. The group examined how to leverage the reorganization of the EPA SBO (which was moved to the Office of Small & Disadvantaged Business Utilization (OSDBU)) to increase support for these small business programs.

## **Measurement**

Measurement was a key theme of the meeting with one full day devoted to this topic. Programs must be able to show results in order to demonstrate their value and promote their efforts. In addition, one trend in government is an increasing focus on results and outcome measures. The presentations examined the use of measures at the federal, regional and state levels.

## **Regulatory Issues**

The most important upcoming regulatory issues for small business are EPA's Area Source rules. Area sources are individual small sources that are collectively important, such as dry cleaners. The Agency is under a tight court-ordered schedule to complete these rules, 55 in all. State programs are concerned that the rules will impact their programs. The regions are concerned that many states may not take responsibility for the new rules. EPA is putting together a small business team to address small business issues. The Technical Subcommittee representing the state programs is working to proactively assist EPA rule-writers to develop these rules.

A detailed summary of this meeting can be found at <http://www.smallbiz-enviroweb.org>. For more information contact: **Angela Suber, (202) 566-2827**, [suber.angela@epa.gov](mailto:suber.angela@epa.gov)

# EPA SMALL BUSINESS STRATEGY

## CONTINUING PROGRESS

The Small Business Ombudsman Team (SBO) continues to implement the Environmental Protection Agency (EPA) *Small Business Strategy*. This Strategy and the associated Implementation Plan were developed through cooperation with programs within EPA as well as with focus groups, states, industry representatives, and other interested stakeholders. The resulting Strategy is intended to unify EPA's diverse programs in a coordinated approach to small business issues, compliance assistance and their environmental performance. This page summarizes some of the SBO's Strategy related activities; many of which are presented in more detail in other sections of the *Update*.

The SBO worked to ***Strengthen the Agency's Small Business Advocacy Roles*** in a variety of ways. One aspect is the SBO's support for networks such as the state Compliance Assistance Panels (CAPs). These voluntary panels of small business owners are important for raising the awareness of environmental stewardship within the small business community as well as helping assistance providers improve their efforts. The SBO supported the CAPs by working with the National CAP to promote complete and active CAPs in each state. In addition, the SBO helps encourage communication between the small business community and the EPA through events such as the Deputy Administrator and Trade Association Meeting.

The SBO works to ***Expand Small Business Involvement in the Regulatory Process*** through its support for the Technical Subcommittee of the National Steering Committee (NSC) by hosting Subcommittee meetings at the National Conference and supporting conference calls. The Technical Subcommittee is currently providing input to the EPA on the Area Source Rules that are under development and is keeping the NSC and Small Business Environmental Assistance Providers (SBEAP) aware of progress and issues related to this rule. In addition, SBO staff regularly attend meeting to contribute to EPA efforts to ensure that the concerns of small businesses are considered in the regulatory process.

The SBO assists with updating and maintaining the Smallbiz website to help ***Evaluate and Develop Compliance Assistance Tools and Resources***. This is an example of how the SBO helps make resources easily available to small business assistance providers and small businesses. The smallbiz website provides easy access to resources such as best management practices and compliance assistance tools, plus information on rules and regulations. The site also serves as an information repository for the NSC and SBEAPs. The training that the SBO provides at the SBO/SBEAP Annual Conference helps the SBEAPs maintain their high quality of assistance, and is an opportunity for the assistance providers to share their experiences and learn from each other.

The last Strategy element is to ***Promote Programs that Reward Environmental Leadership***. The SBO supports this element of the Strategy through training sessions and the creation of tools that encourage small businesses to implement environmental management systems. In addition, through its support of the NSC awards program, the SBO encourages the recognition of exemplary small businesses and small business assistance programs. These annual awards are presented at the National SBO/SBEAP Conference to recognize leaders in environmental stewardship and outstanding SBEAPs.

The SBO will continue to support the EPA Small Business Strategy and look for ways to ensure that the Agency will meet the needs of small business while at the same time encouraging small businesses to implement environmental stewardship.

The final *Small Business Strategy* is available at: [http://www.smallbiz-enviroweb.org/html/pdf/Strategy\\_Final\\_062303.pdf](http://www.smallbiz-enviroweb.org/html/pdf/Strategy_Final_062303.pdf)

For more information please contact **Karen Brown at (202) 566-2816**, [brown.karen@epa.gov](mailto:brown.karen@epa.gov)

## Benchmarking Environmental Performance

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

Selected results from several benchmarking surveys are now available to the general public. Results include:

- data from 2005 and 2006 surveys of companies involved in assembly of printed wiring boards, covering:
  - Conformal Coatings
  - Volatile Organic Compounds (VOCs)
  - Water Treatment
  - Wastewater Treatment
  - Pollution Prevention Management Approaches
  - Toxic Release Inventory (TRI) Reporting
  - Lead Free Production
- data from 2005 and 2006 surveys of metal foundries on beneficial reuse of casting sand, covering:
  - Total Castings Shipped by All Respondents
  - Reasons For Not Beneficially Reusing Sand/Solid Waste
  - Respondents By Method of Sand Disposal or Reuse
  - Total Sand Disposal or Reuse, All Respondents
  - Beneficial Use Types
- data from 2000 - 2006 surveys of electroplating/metal finishing, covering:
  - Water Use
  - Wastewater Characteristics
  - Sludge Generation
  - Energy Use

See these results, and learn more details about the Benchmarking program, at

<http://www.strategicgoals.org/benchmarking>

Additional results will be posted as they become available. Also “Future of Metal Finishing” report to be available soon that looks at regulatory, economic and technical issues facing this sector.

**Contact: Angela Suber, 202/566-2827, [suber.angela@epa.gov](mailto:suber.angela@epa.gov)**

## **The Pesticide Registration Improvement Act: Small Business Implications**

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

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

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

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

**Contact: Elizabeth Leovey at 703-305-7328 or via email at [leovey.elizabeth@epa.gov](mailto:leovey.elizabeth@epa.gov)**



# Small Business Environmental Assistance Programs

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

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

### Small Business Environmental Assistance Program **SBEAP**

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

### Compliance Advisory Panel **CAP**

Advisory panel made up of small business owners and representatives appointed by state governors and legislatures to consult and advise on SBEAP program content.

### Small Business Ombudsman **SBO**

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

### How Small Is a Small Business?



- 100 or fewer individuals - Clean Air Act definition; Other acts include other definitions
- Not considered a major stationary source;
- Does not emit 50 tons or more per year of any regulated pollutant or 75 tons per year of all regulated pollutants;
- Typical customers of the program usually employ less than 25 individuals.

### Location of the Programs



- SBEAPs and SBOs may be found in any number of places, including:
- Environmental Agencies
  - Economic Development Agencies
  - University System
  - Health Departments
  - Pollution Prevention Programs
  - Small Business Development Centers
  - Office of the Secretary or Agency Director

### Size of the Programs

The number of individuals in the SBEAP/SBO programs varies from 0-37 depending on the state. The average SBAP operates with a staff of three.



### Program Budgets

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





## Steering the Future of the SBEAPs

In 1995, the SBEAPs formed a Steering committee to help encourage better communication around the country between the state programs and EPA. One representative and an alternate from each EPA region serves on the Steering Committee. Committee representatives participate in monthly conference calls, serve as conduits for information to other assistance providers in the region, and act as focal points of contact to disseminate information to and from the SBEAP service providers. The Steering Committee provides a vehicle for identifying and resolving problems faced by the SBEAPs.



### EPA Small Business Ombudsman Team Office of Small and Disadvantaged Business Utilization

This office within EPA houses the National Small Business Ombudsman (SBO). The SBO represents small businesses and acts as a key link between the state programs and the agency.

**Karen V. Brown**

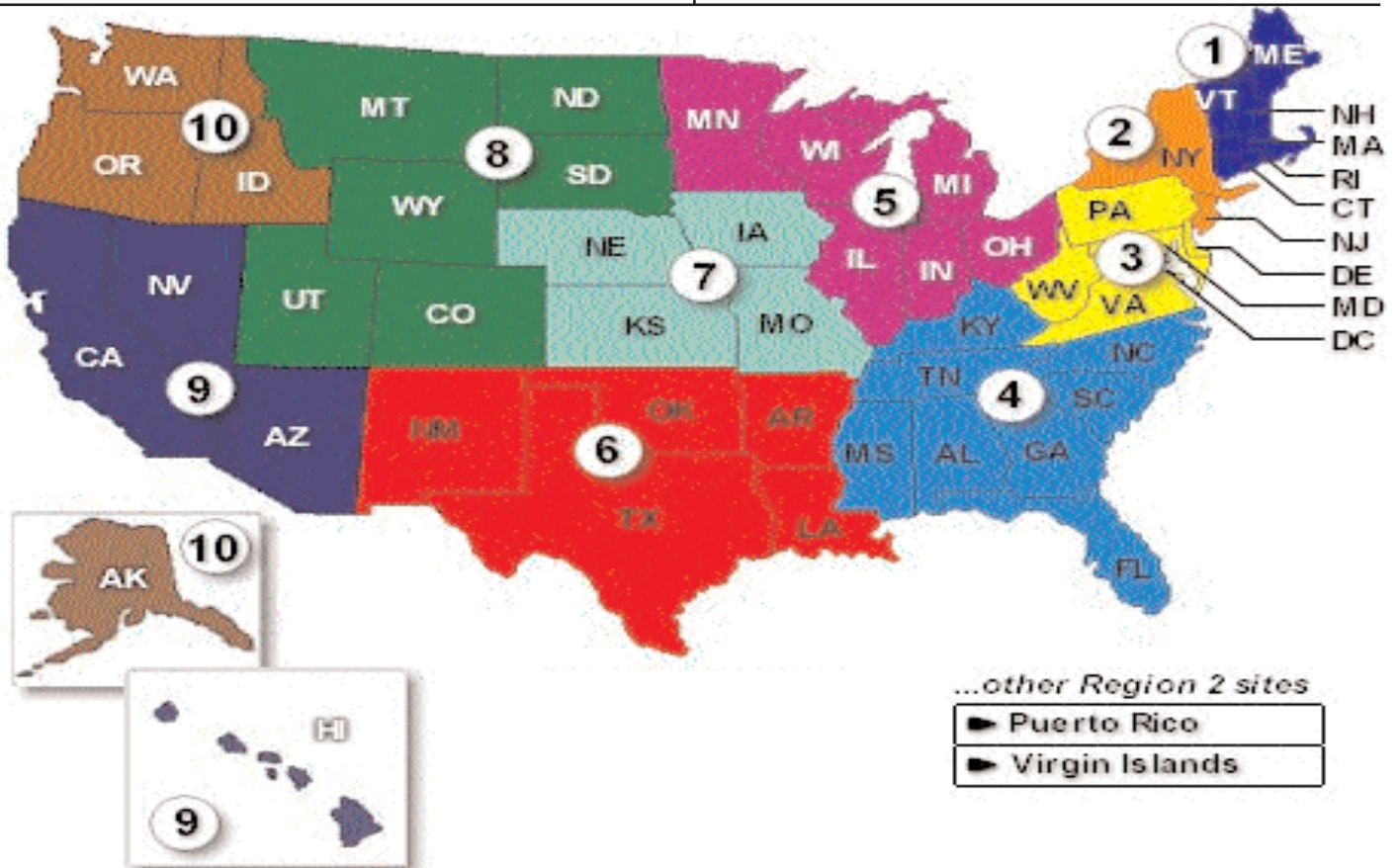
1-800-368-5888, [brown.karen@epa.gov](mailto:brown.karen@epa.gov)

## 2006 Steering Committee Representatives and Alternates

- Region 1: Judy Mirro (VT)  
Rudy Cartier (NH)
- Region 2: Maria Rivera (PR)  
James R. Coyle (NY)
- Region 3: Richard Rasmussen (VA)  
Terry L. Polen (WV)
- Region 4: Lee Tate (GA)  
Edythe McKinney (NC)
- Region 5: Rick Carleski (OH)  
Jackie Sims (IL)
- Region 6: Darren Morrissey (AR)  
Melinda Houlihan (TX)
- Region 7: Cathy Colglazier (KS)  
No Alternate Designated
- Region 8: Dan Clark (WY)  
Greg Sorenson (UT)
- Region 9: Terrell Ferreira (CA)  
No Alternate Designated
- Region 10: Sally Tarowsky (ID)  
Rebecca Hillwig (OR)

**Chairman: Dan Nickey (IA)**  
[nickey@uni.edu](mailto:nickey@uni.edu)

**Vice Chairman: Annette Fulgenzi (IL)**  
[annette.fulgenzi@illinois.gov](mailto:annette.fulgenzi@illinois.gov)



# Small Business Environmental Assistance Programs (SBEAP) Success Stories

Every year, SBEAPs help thousands of small businesses comply with environmental laws, save money by finding cost-effective approaches to environmental management, and better understand today's highly technical, complex environmental regulations. Here are just a few examples of the hundreds of successful outcomes from these valuable programs.

## The Arkansas Business Assistance Program

American Bronze Craft, Inc. is an Arkansas company with approximately 30 employees that manufactures bronze memorials and plaques. Like many small Arkansas businesses, American Bronze Craft asked the ADEQ Business Assistance Program to help them understand and stay in compliance with the many environmental regulations that apply to their businesses.

Recently, ADEQ's Business Assistance staff helped American Bronze Craft eliminate the landfill disposal costs associated with the disposal of 192,000 pounds of casting sand, provided assistance in completing the company's Form R reports, performed an air emissions inventory, and assisted in helping them avoid a hazardous waste compliance problem.

The Illinois Environmental Protection Agency (IEPA) identified a problem with open burning and the Asbestos NESHAP in the construction industry. In 2001, the SBEAP brought together representatives of the Illinois Department of Public Health, Illinois Environmental Protection Agency, and industry trade associations to produce eight three-hour workshops to educate the industry and local officials. The idea was to educate building and zoning offices regarding these issues so that the information would filter down to the industry level. In the first year, approximately 400 people attended the workshops.

Given this success, the State now has the participation of over thirty industry cosponsors and six state agencies. The program has been expanded to a full day and includes mold, radon, storm water, asbestos, lead, and the disposal and recycling of debris. From 2002-2004, this successful partnership has trained nearly 1,500 participants.

## The Illinois Small Business Environmental Assistance Program

## The Indiana Compliance and Technical Assistance Program

When the Indianapolis state-owned motor pool moved into a new facility, they worked with IDEM's Compliance & Technical Assistance Program (CTAP) in order to meet the requirements for IDEM's 5-Star Program for Vehicle Maintenance Shops.

As a result of the collaboration, they upgraded the storage room to include berms for oil containment rather than drains. They also switched from using chlorinated solvents to aqueous-based solvents in the parts washers.

To help in setting up the facility operations, CTAP staff provided information on container labeling for new and used oil as well as assistance in developing a Spill Prevention Control and Countermeasure Plan for a 10,000 gallon above ground storage tank at the facility.

# State Small Business Ombudsman/Small Business Environmental Assistance Programs

## ALABAMA

**Gary Ellis**, (SBO)  
Office of Education and Outreach  
AL Department of Env. Mgt.  
P.O. Box 301463  
Montgomery, AL 36130-1463  
334-394-4352  
334-394-4383 (F)  
800-533-2336 (N)  
[gle@adem.state.al.us](mailto:gle@adem.state.al.us)

**Lynn Battle** (SBAP)  
Natural Resources Section  
AL ADEM - Air Division  
P.O. Box 301463  
Montgomery, AL 36130-1463  
334-271-7873  
334-279-3044 (F)  
800-533-2336 (N)  
[lbattle@adem.state.al.us](mailto:lbattle@adem.state.al.us)

## ALASKA

**Bill Smyth** (SBO)  
AK DEC  
610 University Avenue  
Fairbanks, AK 99709  
907-451-2177  
907-451-2188 (F)  
800 520-2332 (S)  
[Bill\\_smyth@dec.state.ak.us](mailto:Bill_smyth@dec.state.ak.us)

## ARIZONA

**Brian Davidson** (SBO)  
Air Quality Division  
1110 West Washington Street  
Phoenix, AZ 85007  
602-771-4881  
602-771-2281 (F)  
800-234-5677 (S)  
[davidson.brian@ev.state.az.us](mailto:davidson.brian@ev.state.az.us)

## MARICOPA COUNTY

**Warren Kosters**  
Maricopa County Air Quality Dept  
Business Resource Center  
1001 N. Central, Suite 400  
Phoenix, AZ 85004  
602-506-5102  
602-506-7303 (F)  
[wkosters@mail.maricopa.gov](mailto:wkosters@mail.maricopa.gov)

## ARKANSAS

**Darren Morrissey**  
(SBO/SBAP)  
Dept. of Environmental Quality  
P.O. Box 8913  
8001 National Drive  
Little Rock, AR 72219-8913  
501-682-0824  
501-682-0880 (F)  
888-233-0326 (N)  
[morissey@adeq.state.ar.us](mailto:morrissey@adeq.state.ar.us)

## CALIFORNIA

**Kathleen Tschogl** (SBO)  
Air Resources Board  
1001 I St  
P.O. Box 2815  
Sacramento, CA 95814  
916-323-6791  
916-322-4737 (F)  
800-272-4572 (S)  
[kschogl@arb.ca.gov](mailto:kschogl@arb.ca.gov)

## LOUISIANA

**Terrell D. Ferreira** (SBAP)  
Air Resources Board  
1001 I St, P.O. Box 2815  
Sacramento, CA 95814  
916-322-2467  
916-322-4737 (F)  
[terreir@arb.ca.gov](mailto:terreir@arb.ca.gov)

## SOUTH COAST

**Anupom Ganguli** (SBO)  
Public Advisor  
South Coast Management District  
Small Business Ombudsman Ofc.  
21865 E. Copley Drive  
Diamond Bar, CA 91765  
909-396-3185  
909-396-3335 (F)  
800-388-2121 (S)  
[aganguli@aqmd.gov](mailto:aganguli@aqmd.gov)

## COLORADO

**Nick Melliadis** (SBO)  
CDPHE; OCS-INF-A1  
4300 Cherry Creek Drive, South  
Denver, CO 80246-1530  
303-692-2135  
303-782-4969 (F)  
800-886-7689 (S)  
[nick.melliadis@state.co.us](mailto:nick.melliadis@state.co.us)

**Joni Canterbury** (SBEP)  
CDPHE; APCD/SS/B-1  
4300 Cherry Creek Drive, South  
Denver, CO 80246-1530  
303-692-3175  
303-782-0278 (F)  
[joni.canterbury@state.co.us](mailto:joni.canterbury@state.co.us)

## CONNECTICUT

**Robert Kaliszewski**  
(SBO/SBEP)  
Dept. of Env. Protection  
79 Elm Street  
Hartford, CT 06106-5127  
860-424-3003, 860-424-4153  
(F)  
[robert.kaliszewski@po.state.ct.us](mailto:robert.kaliszewski@po.state.ct.us)

## DELAWARE

**Kim Chesser** (SBO/SBEP)  
DE DNRC  
89 Kings Highway  
Dover, DE 19901  
302-739-9909  
302-739-6242 (F)  
[kimberly.Chesser@state.de.us](mailto:kimberly.Chesser@state.de.us)

## DISTRICT OF COLUMBIA

**Olivia Achuko** (SBEP)  
Air Quality Division  
EHA/Department of Health  
51 N Street, NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
202 535-2997  
202 535-1371(F)  
[olivia.achuko@dc.gov](mailto:olivia.achuko@dc.gov)

## FLORIDA

**Stephen McKeough** (SBO)  
FL SBEP Technical Advisor  
Division of Air Resources Mgt.  
2600 Blair Stone Road, MS-5510  
Tallahassee, FL 32399-2400  
850-921-9539, 850-922-6979  
(F)  
800-722-7457 (S)

**Nathan Levy** (SBO)  
LA DEQ

[stephen.mckeough@dep.state.fl.us](mailto:stephen.mckeough@dep.state.fl.us)

**Dickson E. Dibble** (SBEP)  
FL SBEP  
Environmental Spec. II  
Div of Air Resources Mgt.  
Bur or Air Monitoring & Mobile Sources  
2600 Blair Stone Road, MS-5510  
Tallahassee, FL 32399-2400  
850-921-9586  
850-922-6979 (F)  
800-722-7457 (S)  
[dickson.dibble@dep.state.fl.us](mailto:dickson.dibble@dep.state.fl.us)

## GEORGIA

**Lee Tate**, PE (SBO/SBEP)  
GA SBEP  
DNR/EPD  
4244 International Pkwy., Ste 114  
Atlanta, GA 30354  
404-362-4854  
1-877-427-6255 (Toll Free)  
404-363-7100 (F)  
[Lee\\_tate@dnr.state.ga.us](mailto:Lee_tate@dnr.state.ga.us)

## HAWAII

**Robert Tam** (SBO)  
HI Department of Health  
Clean Air Branch  
PO Box 3378  
Honolulu, HI 96801  
808-586-4200  
808-586-4359 (F)  
[Rtam@emd.health.state.hi.us](mailto:Rtam@emd.health.state.hi.us)

## IDAHO

**Sally Tarowsky** (SBO/SBEP)  
Env. Assistance Coordinator  
Idaho Small Business Dev. Ctr.  
Boise State University  
1910 University Drive  
Boise, Idaho 83725-1655  
208-426-1839  
208-426-3877 (F)  
[sallytarowsky@boisestate.edu](mailto:sallytarowsky@boisestate.edu)

## ILLINOIS

**Kenneth L. Page** (Acting SBO)  
Illinois Env. Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794  
217-524-1284  
217-785-8346 (F)  
[ken.page@epa.state.il.us](mailto:ken.page@epa.state.il.us)

**Roslyn Jackson** (SBEP)  
Small Business Env Assistance Program  
Dept of Commerce & Economic Opportunity  
620 East Adams, 4th Floor  
Springfield, IL 62701  
217-524-0169  
217-557-2853(F)  
800-252-3998 (S)  
[rjackson@ildceo.net](mailto:rjackson@ildceo.net)

## INDIANA

**Eric Levenhagen** (SBO)  
IDEM  
External Affairs - MC50-01  
100 N. Senate Avenue  
Indianapolis, IN 46204-2251  
317-234-3386  
317-233-6647 (F)  
602 N. 5<sup>th</sup> Street  
P.O. Box 4313

[elevenha@idem.IN.gov](mailto:elevenha@idem.IN.gov)

**Paula Smith** (SBEP)  
Branch Chief  
IDEM - CTAP  
OPPTA - MC60-04  
100 N. Senate Avenue  
Room W-041  
Indianapolis, IN 46204-2251  
317-233-5624  
317-233-5627 (F)  
[psmith@idem.IN.gov](mailto:psmith@idem.IN.gov)

## IOWA

**Reid Bermel** (SBO)  
Small Business Air Quality Liaison  
Iowa Department of Economic Development  
200 E. Grand Avenue  
Des Moines, IA 50309  
515-242-4761  
515-242-4795 (F)  
[reid.bermel@iowalifechanging.com](mailto:reid.bermel@iowalifechanging.com)

**John Konefes** (SBEP)  
IA Waste Reduction Center  
University of Northern Iowa  
1005 Technology Parkway  
Cedar Falls, IA 50613-6951  
319-273-8905  
319-268-3733 (F)  
800-422-3109 (S)  
[konefes@uni.edu](mailto:konefes@uni.edu)

## KANSAS

**Cathy Colglazier** (SBO)  
Environmental Ombudsman  
Kansas Dept of Health & Env.  
1000 SW Jackson Street  
Suite 430  
Topeka, KS 66612  
785-296-0669  
785-291-3266 (F)  
800-357-6087 (N)  
[ccolglaz@kdhe.state.ks.us](mailto:ccolglaz@kdhe.state.ks.us)

**Nancy Larson** (SBEP)  
Director  
K-State Pollution Prevention Inst.  
7001 W. 21<sup>st</sup> St. North  
Wichita, KS 67205  
316-722-7721  
316-722-7727 (F)  
800-578-8898 (N)  
[nlarson@ksu.edu](mailto:nlarson@ksu.edu)

## KENTUCKY

**Rose Marie Wilmoth** (SBO)  
Div of Compliance Assistance  
Department for Environmental Protection  
14 Reilly Road  
Frankfort, KY 40601  
502-564-0323, x128  
502-564-9720 (F)  
800-926-8111 (N)  
[RoseMarie.Wilmoth@ky.gov](mailto:RoseMarie.Wilmoth@ky.gov)

**Gregory C. Copley** (SBEP)  
Director  
Kentucky Business Env. Assistance Program  
Gatton College of Business and Economics  
University of Kentucky  
Lexington, KY 40506-0034  
859-257-1131  
859-323-1907 (F)  
800-562-2327 (N)  
[gccopl1@uky.edu](mailto:gccopl1@uky.edu)

Baton Rouge, LA 70821-4313  
225-219-3956

# State Small Business Ombudsman/Small Business Environmental Assistance Programs

225-219-3971 (F)  
800-259-2890 (S)  
[Nathan.Levy@LA.Gov](mailto:Nathan.Levy@LA.Gov)

Yanfu Zhao, P.E. (SBEAP)  
Environmental Assistance Div.  
Small Business Assistance  
Prog.  
602 N. 5<sup>th</sup> Street  
P.O. Box 4313  
Baton Rouge, LA 70821-4313  
225-219-3263  
225-225-3310 (F)  
800-259-2890 (S)  
[Yanfu.Zhao@LA.Gov](mailto:Yanfu.Zhao@LA.Gov)

## MAINE

Julie Churchill (SBO/SBEAP)  
Small Business Assistance  
Program  
State House Station 17  
Augusta, ME 04333  
207-287-7881  
207-287-2814 (F)  
800-789-9802 (S)  
[julie.m.churchill@maine.gov](mailto:julie.m.churchill@maine.gov)

## MARYLAND

Stanley Psai (SBO/SBEAP)  
MD Dept. of the Environment  
1800 Washington Boulevard  
Suite 735  
Baltimore, MD 21230-1720  
410-537-4478  
410-537-4477 (F)  
800-633-6101 (S)  
[spesai@mde.state.md.us](mailto:spesai@mde.state.md.us)

## MASSACHUSETTS

Robert Donaldson (SBO)  
MA Department of  
Environmental Protection  
1 Winter Street 8th Floor  
Boston, MA 02108  
617 292-5619  
[robert.donaldson@state.ma.us](mailto:robert.donaldson@state.ma.us)

William McGowan (SBEAP)  
EOEA/ Office of Technical  
Assistance  
100 Cambridge Street Suite  
900  
Boston, MA 02114  
617 626-1078  
617 626-1095 (F)  
[william.mcgowan@state.ma.us](mailto:william.mcgowan@state.ma.us)

## MICHIGAN

Susan Holben (SBO)  
Business Services  
MI Economic Development  
Corp.  
300 North Washington Square  
Lansing, Michigan 48913  
517-335-2168  
[holbens@michigan.org](mailto:holbens@michigan.org)

Dave Fiedler (SBEAP)  
MDEQ Env Science and  
Services Division  
P.O. Box 30457  
Lansing, MI 48909  
517-373-0607  
517-335-4729 (F)  
800-662-9278 (N)  
[fiedler@michigan.gov](mailto:fiedler@michigan.gov)  
**MINNESOTA**

Mike Nelson (SBO)  
MPCA/SBO  
520 Lafayette Road  
Kyle Arthur (SBEAP)  
Dept. of Environmental Quality  
P.O. Box 1677  
Oklahoma City, OK 73101-  
1677

St. Paul, MN 55155  
651-297-8615  
651-297-8701 (F)  
800-985-4247 (S)  
[michael.nelson@pca.state.mn.us](mailto:michael.nelson@pca.state.mn.us)

Troy Johnson (SBEAP)  
MPCA/SBEAP  
520 Lafayette Road  
St. Paul, MN 55155  
651-296-7767  
651-297-8701 (F)  
800-657-3938 (S)  
[troy.johnson@pca.state.mn.us](mailto:troy.johnson@pca.state.mn.us)

## MISSISSIPPI

Jesse Thompson (SBO)  
Small Business Ombudsman  
MS DEQ  
2380 Hwy. 80 West  
P.O. Box 20305  
Jackson, MS 39289-1305  
601-961-5167  
601-961-5541 (F)  
800-725-6112 (N)  
[jesse\\_thompson@deq.state.ms.us](mailto:jesse_thompson@deq.state.ms.us)

Randy Wolfe (SBEAP)  
Small Business Technical  
Assistance Dir.  
MS DEQ  
2380 Hwy. 80 West  
P.O. Box 20305  
Jackson, MS 39289-1305  
601-961-5166  
601-961-5541 (F)  
800-725-6112 (N)  
[randy\\_wolfe@deq.state.ms.us](mailto:randy_wolfe@deq.state.ms.us)

## MISSOURI

Lucy Thompson (SBEAP)  
MO Department of Natural  
Resources  
Air Pollution Control Program  
PO Box 176  
1659 E. Elm  
Jefferson City, MO 65101  
573-526-2414  
573-526-5808 (F)  
[lucy.thompson@dnr.mo.gov](mailto:lucy.thompson@dnr.mo.gov)

## MONTANA

Bonnie Rouse (SBO)  
Air, Energy and Pollution  
Prevention Bureau  
Business and Community  
Assistance Program  
P.O. Box 200901  
1100 N. Last Chance Gulch  
Helena, MT 59620-0901  
406-841-5251  
406-841-5091 (F)  
800-433-8773 (N)  
[brouse@mt.gov](mailto:brouse@mt.gov)

Brian Spangler (SBEAP)  
Mgr Bus and & Asst Prog  
Air, Energy and Pollution  
Prevention Bureau  
Montana Dept of Environ Qlty  
1100 N. Last Chance Gulch  
PO Box 200901  
Helena, MT 59620-0901  
406-841-5250  
406-841-5091 (F)  
800-433-8773  
[bspangler@mt.gov](mailto:bspangler@mt.gov)  
**NEBRASKA**

405-702-1400  
405-702-9101 (F)  
800-869-1400 (N)  
[kyle.arthur@deq.state.ok.us](mailto:kyle.arthur@deq.state.ok.us)

Hugh M. Stirts, PhD  
(SBO/SBEAP)  
SB & Public Assist. Coordinator  
NE Dept. of Env. Quality  
Suite 400, The Atrium  
1200 N St., PO Box 98922  
Lincoln, NE 68509-8922  
402-471-8697  
402-471-2909 (F)  
[hugh.stirts@ndeq.state.ne.us](mailto:hugh.stirts@ndeq.state.ne.us)

## NEVADA

Garland Francis (SBO/SBEAP)  
NV Division of Env. Protection  
333 West Nye Lane  
Carson City, NV 89706-0851  
775-687-9309  
775-687-5856 (F)  
800-992-0900, x4670 (S)  
[gfrancis@ndep.nv.gov](mailto:gfrancis@ndep.nv.gov)

## NEW HAMPSHIRE

Rudolph Cartier, PE  
(SBO/SBEAP)  
Air Resources Div., DES  
29 Hazen Drive  
Concord, NH 03301-2033  
603-271-1379  
603-271-1381 (F)  
800-837-0656 (S)  
[rcartier@des.state.nh.us](mailto:rcartier@des.state.nh.us)

## NEW JERSEY

Joe Constance (SBO)  
Business Advocate Executive  
SBO  
NJ Commerce & Economic  
Growth Commission  
Office of Business Advocate  
20 West State St. P. O. Box 820  
Trenton, NJ 08625-0820  
609-984-6922  
609-292-5509 (F)  
800-643-6090 (N)  
[Joseph.Constance@commerce.state.nj.us](mailto:Joseph.Constance@commerce.state.nj.us)

Ky Asral (SBEAP)  
Small Business Assistance  
Prog.  
Manager  
NJDEP/SBEAP  
P.O. Box 423  
Trenton, NJ 08625-0423  
609-292-3600  
609-777-1330 (F)  
877-753-1151 (S)  
[kasral@dep.state.nj.us](mailto:kasral@dep.state.nj.us)

## NEW MEXICO

Steve Dubyk (SBO/SBEAP)  
NMEDAQB  
5500 San Antonio Drive NE  
Albuquerque, NM 87109-4150  
505-222-9507  
505-222-9510 (F)  
1-800-224-7009 (N)  
[steve\\_dubyk@state.nm.us](mailto:steve_dubyk@state.nm.us)

## NEW YORK

Patricia Driscoll (SBO)  
Env Service Unit  
Empire State Development  
30 S Pearl Street  
Albany, NY 12245  
518 292-5103  
518-292-5802 (F)  
800-782-8369 (N)  
[pdriscoll@empire.state.ny.us](mailto:pdriscoll@empire.state.ny.us)  
Jim Coyle (SBEAP)  
**OREGON**

Uri Papish (SBO/SBEAP)  
Air Quality Business Assistance  
Program

Environmental Program Mgr  
Small Business Assistance Prog.  
NYS Environmental Facilities Corp.  
625 Broadway  
Albany, NY 12207  
518-402-7462  
518-402-8562 (F)  
800-882-9721 (S)  
[coyle@nysefc.org](mailto:coyle@nysefc.org)

## NORTH CAROLINA

Edythe McKinney (SBO)  
NC DENR Customer Service Ctr.  
Small Business Assistance Prog.  
1640 Mail Service Center  
Raleigh, NC 27699-1640  
919-733-0823  
919-715-7468 (F)  
877-623-6748 (N)  
[edythe.mckinney@ncmail.net](mailto:edythe.mckinney@ncmail.net)

Tony Pendola, PE (SBEAP)  
NC DENR Customer Service Center  
Small Business Assistance Program  
1640 Mail Service Center  
Raleigh, NC 27699-1640  
919-733-0824  
919-715-7468 (F)  
877-623-6748 (N)  
[tony.pendola@ncmail.net](mailto:tony.pendola@ncmail.net)

## NORTH DAKOTA

Dana Mount (SBO)  
ND Dept. of Health  
918 East Divide Ave., 4<sup>th</sup> Floor  
Bismarck, ND 58501-1947  
701-328-5150  
701-328-5200 (F)  
800-755-1625 (S)  
[dmount@nd.gov](mailto:dmount@nd.gov)

Tom Bachman (SBEAP)  
ND Dept. of Health  
Division of Air Quality  
918 East Divide Ave., 2<sup>nd</sup> Floor  
Bismarck, ND 58501-1947  
701-328-5188  
701-328-5200 (F)  
800-755-1625 (S)  
[tbachman@nd.gov](mailto:tbachman@nd.gov)

## OHIO

Mark Shanahan (SBO)  
Clean Air Resource Center  
50 West Broad Street, Room 1901  
Columbus, OH 43215-5985  
614-728-3540  
614-752-9188 (F)  
800-225-5051 (S)  
[mark.shanahan@aqda.state.oh.us](mailto:mark.shanahan@aqda.state.oh.us)

Rick Carleski (SBEAP)  
Ohio EPA/OCAPP  
Lazarus Government Center  
P.O. Box 1049  
Columbus, OH 43216-1049  
614-728-1742  
614-644-2807 (F)  
[rick.carleski@epa.state.oh.us](mailto:rick.carleski@epa.state.oh.us)

## OKLAHOMA

Judy Duncan (SBO)  
Director Customer Service  
Dept. of Environmental Quality  
P.O. Box 1677  
Oklahoma City, OK 73101-1677  
405-702-1000, 405-702-1001 (F)  
800-869-1400 (N)  
[judy.duncan@deq.state.ok.us](mailto:judy.duncan@deq.state.ok.us)

OR Dept. of Env. Quality  
811 SW 6<sup>th</sup> Ave.  
Portland, OR 97204  
503-229-6480  
503-229-5675 (F)

# State Small Business Ombudsman/Small Business Environmental Assistance Programs

800-452-4011 (S)  
[Papish.uri@deq.state.or.us](mailto:Papish.uri@deq.state.or.us)

## PENNSYLVANIA

**Jeanne Dworetzky** (SBO)  
Small Business Ombudsman  
PA Dept. of Env. Protection  
Office of Energy and  
Technology Development  
RCSOB  
15th Floor  
P.O. Box 8772  
Harrisburg, PA 17105-8772  
717-772-5942  
717-783-2703 (F)  
[Jdworetzky@state.pa.us](mailto:Jdworetzky@state.pa.us)

**Diana Brems** (SBEAP)  
Air Quality Program Specialist  
Compliance Assistance and  
Pollution Prevention Section  
Bureau of Air Quality  
P.O. Box 8468  
Harrisburg, PA 17105  
717-787-7019  
717-772-2303 (F)  
[dbrems@state.pa.us](mailto:dbrems@state.pa.us)

## PUERTO RICO

**Evelyn Rodriguez** (SBEAP)  
Environmental Quality Board  
Air Quality Program Director  
PO Box 11488  
Santurce, PR 00919  
787-767-8025  
787-756-5906  
[pr\\_SBEAP@hotmail.com](mailto:pr_SBEAP@hotmail.com)

## RHODE ISLAND

## SOUTH CAROLINA

**Phyllis T. Copeland** (SBO)  
SCDHEC – EQC  
Administration  
2600 Bull Street  
Columbia, SC 29201-1708  
803-896-8982  
803-896-8999 (F)  
800-819-9001 (N)  
[copelapt@dhec.sc.gov](mailto:copelapt@dhec.sc.gov)

**James Robinson, PE**  
(SBEAP)  
Technical Assistance Engineer  
SCDHEC – EQC  
Administration  
2600 Bull Street  
Columbia, SC 29201-1708  
803-896-8984  
803-896-8999 (F)  
800-819-9001 (N)  
[robinsjc@dhec.sc.gov](mailto:robinsjc@dhec.sc.gov)

## SOUTH DAKOTA

**Joe D. Nadenicek** (SBO)  
Dept of Env & Natural  
Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501  
605-773-3836  
605-773-6035 (F)  
800-438-3367 (S)  
[joe.nadenicek@state.sd.us](mailto:joe.nadenicek@state.sd.us)

**Rick Boddicker** (SBEAP)  
Dept of Env & Natural  
Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501  
605-773-6706  
605-773-5286 (F)  
800-438-3367 (S)  
[rick.boddicker@state.sd.us](mailto:rick.boddicker@state.sd.us)

## TENNESSEE

**Linda Sadler** (SBO/SBEAP)  
SB Env. Assistance Program  
L&C Annex  
8th Floor  
401 Church Street  
Nashville, TN 37243-1551  
615-532-0779  
615-532-8007 (F)  
800-734-3619 (N)  
[linda.sadler@state.tn.us](mailto:linda.sadler@state.tn.us)

## TEXAS

**Matthew Baker, PE** (SBO)  
Small Business Advocate  
TCEQ (Mail Code 112)  
P.O. Box 13087  
Austin, TX 78711-3087  
512-239-1091  
512-239-5678 (F)  
800-447-2827 (N)  
[mabaker@tceq.state.tx.us](mailto:mabaker@tceq.state.tx.us)

**Andy Gardner** (Acting SBEAP)  
Small Business & Local Govt  
Asst Section Mgr  
TCEQ (Mail Code 106)  
P.O. Box 13087  
Austin, TX 78711-3087  
512-239-2342  
512-239-1065 (F)  
800-447-2827 (N)  
[Agardner@tceq.state.tx.us](mailto:Agardner@tceq.state.tx.us)

## UTAH

**Renette Anderson** (SBO)  
UT Dept of Environmental  
Quality  
Office of Planning and Pubic  
Affairs  
168 North 1950 West  
Salt Lake City, UT 84114-4810  
801-536-4478  
801-536-4457 (F)  
800-458-0145 (N)  
[renetteanderson@utah.gov](mailto:renetteanderson@utah.gov)

**Greg Sorenson** (SBEAP)  
Environmental Scientist  
Small Business Environmental  
Assistance Program  
Utah Division of Air Quality  
150 North 1950 West  
P.O. Box 144820  
Salt Lake City, UT 84116  
801-536-4437  
801-536-4099 (F)  
800-270-4440 (N)  
[Gsorenson@utah.gov](mailto:Gsorenson@utah.gov)

## VERMONT

**Judy Mirro** (SBEAP)  
SB Compl. Assistance Program  
VT Dept of Env Conservation  
Cannery Building  
103 South Main Street  
Waterbury, VT 05671-4911  
802-241-3745, 802-241-3273  
(F)  
800-974-9559, ext 2 (S)  
[judy.mirro@state.vt.us](mailto:judy.mirro@state.vt.us)

## VIRGINIA

**Richard Rasmussen** (SBEAP)  
Dir., Small Bus. Assistance  
Prog.  
Air Division  
VA Dept of Environmental  
Quality  
629 E. Main Street  
P.O. Box 10009  
Richmond, VA 23240  
804-698-4394, 804-698-4264  
(F)  
800-592-5482 Ext 4394 (S)

[rgrassmussen@deq.virginia.gov](mailto:rgrassmussen@deq.virginia.gov)

## VIRGIN ISLANDS

**Marylyn A. Stapleton** (SBEAP)  
Env. Program Manager  
V.I. Dept of Planning & Natural  
Resources  
Env. Protection Div., SBEAP  
Terminal Bldg, 2<sup>nd</sup> Fl  
Cyril E. King Airport  
St. Thomas, VI 00802  
(340) 774-3320, X5167  
(340) 714-9528-9549 (F)  
340-714-9529 (S)  
[stapleton.marylyn@vidpnr-dep.org](mailto:stapleton.marylyn@vidpnr-dep.org)

## WASHINGTON

**Bernard Brady** (SBO/SBEAP)  
WA Department of Ecology  
Air Quality Program  
P.O. Box 47600  
Olympia, WA 98504-7600  
360-407-6803  
360-407-7534 (F)  
[bbr461@ecy.wa.gov](mailto:bbr461@ecy.wa.gov)

## WEST VIRGINIA

**Terry L. Polen PE, QEP** (SBO)  
WV Dept of Env Protection  
601 57<sup>th</sup> Street  
Charleston, WV 25304  
304-926-0440 ext 1381  
304-926-0498 (F)  
304-389-7520 (C)  
[tpolen@wvdep.org](mailto:tpolen@wvdep.org)

**Gene M. Coccari** (SBEAP)  
SBEAP Manager  
WV Division of Air Quality  
SBEAP  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
304-926-0475  
304-926-0479 (F)  
[gcoccari@wvdep.org](mailto:gcoccari@wvdep.org)

## WISCONSIN

**Renee Lesjak Bashel** (SBO)  
WI Clean Air SBO  
PO Box 7970 5<sup>th</sup> FL  
201 West Washington Avenue  
Madison, WI 53707-7970  
608-264-6153  
608-264-6151 (F)  
800-435-7287 (N)  
[Renee.Bashel@Wisconsin.gov](mailto:Renee.Bashel@Wisconsin.gov)

**Tom Coogan**  
WI SB Clean Air Assistance  
Program  
P.O. Box 7970 5<sup>th</sup> FL  
201 West Washington Avenue  
Madison, WI 53707-7970  
608-267-9214  
608-264-6151 (F)  
800-435-7287 (N)  
[Thomas.Coogan@Wisconsin.gov](mailto:Thomas.Coogan@Wisconsin.gov)

## WYOMING

**Dan Clark** (SBO)  
Dept of Env Quality  
Small Business Ombudsman  
Herschler Bldg. 4-W  
122 W. 25th Street  
Cheyenne, WY 82002  
307-777-7388  
307-777-3610 (F)  
[dclark@state.wy.us](mailto:dclark@state.wy.us)

**Stephen Roseberry** (SBEAP)  
Dept of Env Quality  
Technical Assistance Program  
Coordinator

Herschler Bldg. 4-W  
122 W. 25<sup>th</sup> Street  
Cheyenne, WY 82002  
307-777-7347  
307-777-3610 (F)  
[rosoeb@state.wy.us](mailto:rosoeb@state.wy.us)



# 2006-07 SBO/SBEAP National Steering Committee Members and Contact Information

## Chair

**Dan Nickey**  
Iowa Waste Reduction Center  
319/273-8905 319/2683733 (F)  
nickey@uni.edu

## Vice-Chair

**Annette Fulgenzi**  
Illinois SBEAP  
217/542-5199 217/542-2853 (F)  
Annette.fulgenzi@illinois.gov

## Region 1

### REPRESENTATIVE

**Judy Mirro**  
Sm Bus. Compliance Assistance Program  
802/241-3745 802/241-3273 (F)  
800/974-9559 (state)  
judy.mirro@state.vt.us

### ALTERNATE

**Rudy Cartier**  
Air Resources Division  
Department of Environmental Services  
603/271-1379 603/271-1381 (F)  
800/837-0656 (state)  
rcartier@des.state.nh.us

## Region 2

### REPRESENTATIVE

**Maria Rivera**  
PREQB – SBAP Coordinator  
787/767-8181 x2721 787/620-9554 (F)  
pr\_sbap@hotmail.com

### ALTERNATE

**James R. Coyle**  
Environmental Program Manager  
Small Business Assistance Program  
800/780-7227; 518/402-7462  
518/486-9249 (F)  
coyle@nysefc.org

## Region 3

### REPRESENTATIVE

**Richard Rasmussen**  
VA Department of Environmental Quality  
804/698-4394 804/698-4264 (F)  
rgrasmussen@deq.virginia.gov

### ALTERNATE

**Terry L. Polen**  
Small Business Ombudsman  
West Virginia Dept of Env. Protection  
304/759-0510, Ext. 341  
tpolen@wvdep.org

## Region 4

### REPRESENTATIVE

**Lee Tate, PE**  
Georgia SBAP, DNR/EPD  
404/362-4854 404/363-7100 (F)  
lee\_tate@mail.dnr.state.ga.us

### ALTERNATE

**Edythe McKinney**  
NC DENR Customer Service Center  
Small Business Assistance Program  
919/733-0823 919/715-7468 (F)  
edythe.mckinney@ncmail.net

## Region 5

### REPRESENTATIVE

**Rick Carleski**  
Ohio EPA/DAPC  
614/728-1742 614/644-3681 (F)  
rick.carleski@epa.state.oh.us

### ALTERNATE

**Jackie Sims**  
Small Business Assistance Coordinator  
Illinois EPA  
217/782-9333 217/782-6348 (F)  
Jackie.sims@epa.state.il.us

## Region 6

### REPRESENTATIVE

**Darren Morrissey**  
Department of Environmental Quality  
501/682-0824 501/682-0880 (F)  
888/233-0326 (N)  
morrissey@adeq.state.ar.us

### ALTERNATE

**Melinda Houlihan**  
Texas Commission on Environmental  
Quality  
Small Business and Local Gov. Assist.  
512/239-5832 512/239-1065 (F)  
mhoulia@tceq.state.tx.us

## Region 7

### REPRESENTATIVE

**Cathy Colglazier**  
Public Advocate  
Small Business/Community Support  
Bureau of Environmental Field Services  
785/296-0669 785/291-3266 (F)  
800/357-6087 (N)  
ccolglaz@kdhe.state.ks.us

### NO ALTERNATE

## Region 8

### REPRESENTATIVE

**Dan Clark**  
Small Business Ombudsman  
WY Department of Environmental Quality  
307/777-7388 307/777-3610 (F)  
dclark@state.wy.us

### ALTERNATE

**Greg Sorenson**  
UT Dept of Environmental Quality  
Division of Air Quality  
801/536-4437 801/536-4099 (F)  
800/270-4440  
gsorenson@utah.gov

## Region 9

### REPRESENTATIVE

**Terrel Ferreira**  
Deputy Ombudsman  
California Air Resources Board  
916/322-2467 916/322-4737 (F)  
tferreir@arb.ca.gov

### NO ALTERNATE

## Region 10

### REPRESENTATIVE

**Sally Tarowsky**  
Environmental Assistance Coordinator  
Idaho Small Business Development Center  
208/426-1869 208/426-3877 (F)  
sallytarowsky@boisestate.edu

### ALTERNATE

**Rebecca Hillwig**  
Small Business Assistance Program  
Coordinator, Air Quality  
OR Department of Environmental Quality  
503/229-5376 503/229-5675 (F)  
hillwig.rebecca@deq.state.or.us

## National CAP

### REPRESENTATIVE

**Frances Hartwell**  
NCAP Vice-Chair  
503/322-8474 Cell: 971/275-4759  
fran@vanirmail.com

## EPA SBO

### Karen V. Brown

US EPA, OSDDBU, SBO Team  
202/566-2816 202/566-0954 (F)  
brown.karen@epa.gov

## EPA SBEAP

### Keith Barnett

US EPA OAQPS. S{{D/MMG}}  
919/541-5605 919/541-2464(F)  
barnett.keith@epa.gov

## ***National Steering Committee Subcommittee Update***

The National Steering Committee (NSC) provides support to state programs across the country. The six NSC Subcommittees help focus efforts on key issues facing small businesses and state programs.

### **Award Subcommittee**

The Third Annual Small Business Recognition Awards were presented at the 2006 SBO/SBEAP National Conference in Bretton Woods. Work has already begun on the Fourth Annual Small Business Recognition Awards, which will be presented at the 2007 SBO/SBEAP National Conference.

Chair: **Amelia Gooding**, (217) 785-4557, [amelia.gooding@illinois.gov](mailto:amelia.gooding@illinois.gov)

### **Guidelines Subcommittee**

The Guidelines Subcommittee has been on hiatus, but will soon begin reviewing proposed changes to the NSC guidelines that were prepared earlier this year.

Chair: **Sally Tarowsky**, (208) 426-1839, [sallytarowsky@boisestate.edu](mailto:sallytarowsky@boisestate.edu)

### **Measurement Subcommittee**

The subcommittee completed Logic Models for the three program components, which were presented at the 2006 SBO/SBEAP National Conference in New Hampshire. The committee also conducted a survey of state programs on the use of measures and will review the data over the next few months.

Chair: **Kenya Stump**, (800) 562-2327, [ckeny2@email.uky.edu](mailto:ckeny2@email.uky.edu)

### **Multimedia Subcommittee**

The Multimedia Subcommittee continues to support the Multimedia Peer Center. In addition, the group is preparing to update the 2003 survey. Additionally the subcommittee supports the Grassroots Multimedia Initiative by providing data and advice where applicable.

Chair: **Phyllis Strong**, (651) 282-5847, [phyllis.strong@pca.state.mn.us](mailto:phyllis.strong@pca.state.mn.us)

### **Promotional Subcommittee**

The Promotional Subcommittee recently released an Annual Report Summary for 2002 and 2003. Future subcommittee efforts include: national advertising, trade association outreach, funding opportunities, legislative promotions, other environmental providers, and other business service providers.

Chair: **Chris Lynch**, (215) 573-7555, [clynch@wharton.upenn.edu](mailto:clynch@wharton.upenn.edu)

### **Technical Subcommittee**

The Technical Subcommittee is working with EPA rule writers on the Area MACT standards, with special focus on the Autobody standard scheduled for completion in December 2007. The Subcommittee provides the rule makers, with up-to-date information and direct discussion with small business owners to ensure that small business impacts are fully understood.

Chair: **Richard Rasmussen**, (804) 698-4394, [rgrasmussen@deg.virginia.gov](mailto:rgrasmussen@deg.virginia.gov)

For more information: NSC Chair: **Dan Nickey**, (319) 273-8905, [nickey@uni.edu](mailto:nickey@uni.edu) or NSC Vice-Chair: **Annette Fulgenzi**, (217) 524-5199, [annette.fulgenzi@illinois.gov](mailto:annette.fulgenzi@illinois.gov)

More detailed information on subcommittee activities is on the subcommittee web page: [http://www.smallbiz-enviroweb.org/sba/steering\\_subcommittees.html](http://www.smallbiz-enviroweb.org/sba/steering_subcommittees.html)

## **NATIONAL COMPLIANCE ADVISORY PANEL**

### **RECENT ACTIVITIES**

The National Compliance Advisory Panel (NCAP) supports the state Small Business Environmental Assistance Providers (SBEAPs) and Compliance Assistance Panels (CAP), and in coordination with the SBO/SBEAP National Steering Committee (NSC), implements strategies and activities to achieve that goal.

**NCAP Statement on Multimedia Services** - As small business owners/representatives, the NCAP strongly supports the concept of “one-stop-shopping” for small businesses, appreciates SBEAPs that have expanded their scope, and encourages the conversion of other state SBEAPs to multimedia services.

**Multimedia Initiative** – The NCAP, at the request of the NSC, has taken the lead in pursuing multimedia authority and funding for state SBEAPs and is pursuing two parallel approaches. The first is a grass roots approach in which the NCAP lends its voice and support to elements within the state programs to affect change from the bottom up. To initiate this, the NCAP has identified three potential “pilot” states which support the effort, have an active state CAP, and provide only air-related compliance assistance. These state programs were given materials and advice (form letters, scripts, and action plans) to help them meet their multimedia goals. With the second approach, the NCAP is planning to approach key federal legislators to secure funds and legislative support to facilitate the move towards multimedia programs in all states. The NCAP members plan to contact key members during the campaign season and visit Capitol Hill by April 2007.

**State CAP Continuity** - An increasing number of states have either a dysfunctional CAP or no CAP. The NCAP is concerned about this. To help find ways to revitalize the state CAPs, the NCAP established a “CAP Continuity Committee” to propose a strategy and action plan. In light of the two-tiered Multimedia approach, the committee believes that efforts will overlap to a small extent and hopes to leverage this overlap to insure that as multimedia cause is advanced so too are the state CAPs.

**2006 SBO/SBEAP/CAP Training** – The second annual joint SBO/SBEAP/CAP training program was held in March 2006 to facilitate interaction and communication among the three 507 Program components. EPA’s Small Business Division (SBD) conducted the training in conjunction with the National Conference in Bretton Woods, New Hampshire.

**SBO/SBEAP National Steering Committee Subcommittees** – Three years ago, the NSC expressed an interest in having the NCAP represented in its subcommittees to directly provide a small business perspective. NCAP members participate in the following NSC Subcommittees: Reimar von Kalben, Region 8 and Glenn Heilman, Region 3 on the Awards Subcommittee and NCAP Vice Chair Frances Hartwell, Region 10 on the Technical Subcommittee. There are currently no NCAP representatives for the Multimedia Subcommittee and the Promotional Subcommittee.

**Elections** – NCAP officers serve two-year terms. This year elections were held for the positions of Chair and Vice-chair. As a result, Ken Legler - Region VI, was re-elected to the position of Chairman, and Frances Hartwell - Region 10, was re-elected to the position of Vice-chair. We look forward to their continued contributions.

**New Members** – New members that replaced outgoing CAP members include: Dusty Finley – Region IV, Brian Warner – Region V, and Sarah Walls – Member at Large. These new representatives have already become an active integral part of NCAP activities. We thank the outgoing members, Gary Dawson, Bob Nicholson, and Peter Cunningham, for their years of service.

For more information contact: **Karen Brown, 202/566-2816, [brown.karen@epa.gov](mailto:brown.karen@epa.gov)**



# SBO/SBEAP

## NATIONAL COMPLIANCE ADVISORY PANEL (NCAP)

**Deborah Roy** – Region I  
SafeTech Consultants, Inc.  
One Monument Way, Second Floor  
Portland, ME 04101  
Phone: 207/773-5753  
Fax: 207/773-8832  
E-Mail: [debbie@stci.com](mailto:debbie@stci.com)

**George Siefert, Esq.** – Region II  
PSEG Nuclear  
223 Heritage Road  
Cherry Hill, NJ 08034  
Phone: 856/339-1875  
E-Mail: [george.siefert@pseg.com](mailto:george.siefert@pseg.com)

**Glenn Heilman** – Region III  
Heilman Pavement Specialties, Inc.  
290 North Pike Road  
Sarver, PA 16055  
Phone: 724/353-2700  
Fax: 724/353-2888  
E-Mail: [mheilman@nauticom.net](mailto:mheilman@nauticom.net)

**Dennis S. "Dusty" Findley, Jr.** – Region IV  
Chief Executive Officer  
Southeastern Cotton Ginners Association, Inc.  
139 Prominence Court, Suite 110  
Dawsonville, GA 30534  
Phone: 706/344-1212  
Fax: 706/344-1222  
Cell: 770/654-1944  
E-Mail: [dusty@southern-southeastern.org](mailto:dusty@southern-southeastern.org)

**Brian Warner** – Region V  
Wolverine Power Cooperative  
10125 W. Watergate Rd.  
P.O. Box 229  
Cadillac, MI 49601  
Phone: 231-775-5700  
Fax: 231-775-2077  
E-Mail: [bwarnar@wpsci.com](mailto:bwarnar@wpsci.com)

**Ken Legler, CHAIR** – Region VI  
Houston Wire Works  
18333 Egret Bay #660  
Houston, TX 77058  
Phone: 1-800-468-9477  
Fax: 281/335-5801  
E-Mail: [klegler@houstonwire.com](mailto:klegler@houstonwire.com)  
[k.legler@att.net](mailto:k.legler@att.net)

**Bruce Morrison, Esq.** – Region VII  
Green, Hennings & Henry  
705 Olive Street, Suite 614  
St. Louis, MO 63101  
Phone: 314/231-4181  
Fax: 314/231-4184  
[bamorrison@accessus.net](mailto:bamorrison@accessus.net)

**Reimar von Kalben** – Region VIII  
Allied Refrigeration & Electric, Inc.  
172 Alhambra Drive  
Pueblo, CO 81005  
Phone: 719/564-0698  
Fax: 719/566-6062  
E-Mail: [rvkalben@comcast.net](mailto:rvkalben@comcast.net)

**Terrel Ferreira** – Region IX  
Deputy Ombudsman  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814  
Phone: 916/322-2467  
Fax: 916/322-4737  
E-Mail: [tferreir@arb.ca.gov](mailto:tferreir@arb.ca.gov)

**Frances Hartwell, Esq., VICE CHAIR** – Region X  
15025 Highway 101, North  
Rockaway Beach, OR 97136  
Phone: 503/322-8474  
Cell: 971/275-4759  
E-Mail: [fran@vanirmail.com](mailto:fran@vanirmail.com)

**Paul Larson** – Member-at-Large  
P.O. Box 187  
Lovell, WY 82431  
Phone: 307/548-6456  
E-Mail: [palarson@tctwest.net](mailto:palarson@tctwest.net)

**Sarah K. Walls** – Member-at-Large  
Cantey & Hanger, L.L.P.  
2100 Burnett Plaza  
801 Cherry Street, Unit #2  
Fort Worth, TX 76102  
Phone: 817/877-2811  
Fax: 817/877-2807  
Cell: 817/821-1178  
E-Mail: [swalls@canteyhanger.com](mailto:swalls@canteyhanger.com)

**Annette Fulgenzi** - Vice Chair, SBO/SBEAP  
National Steering Committee  
Illinois Small Business Environmental  
Assistance Program  
Dept. of Commerce & Economic Opportunity  
620 East Adams S-4  
Springfield, IL 62701  
Phone: 217-524  
Fax: 217/557-2853  
E-Mail: [annette.fulgenzi@illinois.gov](mailto:annette.fulgenzi@illinois.gov)

**Karen Brown** - EPA SBO  
202/566-2816  
202/566-0954 fax  
[brown.karen@epa.gov](mailto:brown.karen@epa.gov)

**Angela Suber** - EPA SBO Team  
202/566-2827  
202/566-2848 fax  
[suber.angela@epa.gov](mailto:suber.angela@epa.gov)

## ***Multimedia Initiative Update***

Since the implementation of the 1990 Clean Air Act Amendments, state Small Business Environmental Assistance Programs (SBEAPs), have provided assistance on air-related issues for the small business community. Small businesses have frequently voiced their desire for “one-stop” compliance assistance for all their environmental regulatory assistance needs. A number of states have officially established multimedia programs offering air, water, waste, and pollution prevention assistance to small businesses. Many other states would like to do the same.

The initiative began in October 2004 when members of the SBEAP National Steering Committee (NSC) and National Compliance Advisory Panel (NCAP) met with senior EPA officials to discuss their perspective on multimedia assistance. From that meeting emerged the development and formalization of an NSC-led Multimedia Initiative intended to provide a framework for helping states that want to establish multi-media programs, and for enhancing those programs already providing multi-media services. In October 2005 the NCAP took the lead in pursuing multi-media authority and associated funding for state SBEAPs because of their unique role in the program as private citizens. To assist them, the NSC polled the states to determine the level of interest in expanding to multimedia services. The resulting data led to a pilot project, The Grassroots Support Campaign, with three states: Michigan, Wyoming, and Wisconsin. These states were chosen because they support the effort, have an active state CAP, and currently provide only air-related compliance.

It is envisioned that the Grassroots Support Campaign would be carried out by the state programs to promote support for multimedia within their own agencies, and by state CAPs to seek the support of agency officials and elected officials. The NCAP, working with the leadership of the NSC, outlined an approach, and established a “Multi-Media Outreach Committee” to develop an Action Plan for consideration by the NCAP and the NSC. To assist the NCAP in this effort, the EPA Small Business Division developed a number of outreach materials including background factsheets, a color brochure, guidance, letter templates, and sample scripts for approaching various audiences.

In addition to the Grassroots Support Campaign, the NCAP has expressed a desire to simultaneously work from the top down by approaching federal legislators to gain support and ultimately legislation requiring multimedia compliance assistance for small businesses as well as to provide funding for the state programs which provide this assistance.

### **The Multimedia Peer Center (MPC)**

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

Visit the Multimedia Peer Center for more information:  
[http://www.smallbiz-enviroweb.org/sba/multimedia\\_peer\\_center.html](http://www.smallbiz-enviroweb.org/sba/multimedia_peer_center.html)

For more information contact **Karen Brown** at (202) 566-2816, [brown.karen@epa.gov](mailto:brown.karen@epa.gov)

# Multimedia Peer Center (MPC)

March 2006

[www.smallbiz-enviroweb.org/sba/multimedia\\_peer\\_center.html](http://www.smallbiz-enviroweb.org/sba/multimedia_peer_center.html)

***Tired of not being able to fully help your customers? Want to overcome obstacles to providing multimedia services? Are your customers asking for more? Use the online Multimedia Peer Center (MPC) today!***

## What is the Multimedia Peer Center?

The MPC is an online resource center to help you become multimedia or improve your program's multimedia services. It is found on the Small Business Environmental Home Page, funded by the U.S. Environmental Protection Agency Small Business Division / Small Business Ombudsman's Office.

## What Else Can You Use?

You can use the EPA experts list. Go to the MPC and click on *EPA Multimedia Experts List*. Then click on your region. You will find a list of experts, web sites, and organizations in multimedia issues for your region.

## How Does It Work?

Go to the MPC and click on *Search MPC Mentor Programs*. You will be able to search for programs by criteria that make sense for you:

- ◆ Type of assistance the MPC mentor is willing to provide (do you want to be able to go and visit the program and be trained or is telephone support and information on the web sufficient?)
- ◆ Type of multimedia assistance offered (air, hazardous waste, solid waste, water, other)
- ◆ How multimedia assistance is provided (staff referrals, personal contacts outside the program, internal expertise)
- ◆ Type of expertise available inside the program (environmental compliance only or also pollution prevention)
- ◆ Where programs are housed (state environmental or other agency, SBDC, college or university)
- ◆ Types of funding sources (air permit fees only, air fees plus other sources, task-specific funding, other)
- ◆ Industry sector expertise (different industry sectors)



## Who Can You Contact for More Information?

Multimedia Subcommittee Chair  
SBO-SBEAP Nat'l Steering Committee  
Phyllis Strong  
Minnesota Pollution Control Agency  
Small Business Environmental Assistance Program  
520 Lafayette Road  
St. Paul, MN 55155  
Phone: 651/282-5847  
Fax: 651/297-8701  
Email: [phyllis.strong@pca.state.mn.us](mailto:phyllis.strong@pca.state.mn.us)

### For web site questions or comments, contact:

Audrey G. Zelanko  
Small Business Environmental Home Page  
[www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)  
Phone: 724/452-4722  
Fax: 724/452-5840  
Email: [zelankoa@smallbiz-enviroweb.org](mailto:zelankoa@smallbiz-enviroweb.org)

## Which Programs are Mentor Volunteers?

These multimedia programs have agreed to become mentor volunteers, starting with providing answers to 20 *MPC Mentor Program Questions*:

- ◆ Arkansas Business Assistance Program
- ◆ Idaho Small Business Environmental Assistance Program
- ◆ Indiana Compliance and Technical Assistance Program
- ◆ Iowa Waste Reduction Center
- ◆ Kansas Small Business Environmental Assistance Program
- ◆ Minnesota Small Business Environmental Assistance Program
- ◆ Oregon Air Quality Business Assistance Program
- ◆ Texas Small Business and Local Government Assistance Program
- ◆ Vermont Small Business Compliance Assistance Program

If you already provide multimedia assistance and are willing to share information about your program with other state programs, please consider becoming one of these mentor programs. Contact Phyllis Strong for more information.

# Small Business Environmental Home Page

Helping small businesses access environmental compliance and  
pollution prevention information

## What's New on the Home Page?

- ⇒ New peer center programs on the Multimedia Peer Center (MPC)
- ⇒ New industry sector expertise search criteria on the MPC
- ⇒ EPA Multimedia Experts List on the MPC
- ⇒ 2006 Small Business Assistance Awards online
- ⇒ State Compliance Advisory Panel Bylaws and Guidelines web page
- ⇒ Measurement Subcommittee web page
- ⇒ New success stories on the Promotional Success Stories Database
- ⇒ Revised Small Business Environmental Assistance Program (SBEAP) logo

**The Multimedia Peer Center (MPC)** is an online resource center for SBOs/SBEAPs that want to become multimedia or want to improve their programs' multimedia services.

**The Promotional Success Stories Database** is an online searchable database of successful national, state, and industry initiatives, as well as individual case studies.

**The Publications and Videos Databases** are online searchable databases of over 9,000 federal, state, and other publications/factsheets, and over 650 videos. Publications can be searched by source, industry sector or environmental topic, and keywords. Videos can be searched by video author/distributor, industry sector or environmental topic, availability, and keywords.

**The Regulatory Updates Database** includes summaries and links/contacts for information on major proposed and final rules, guidance, and policies that may affect small businesses.

**The Upcoming Events Database** is an online searchable database of upcoming events. Events can be searched by environmental topic, date, region, and keywords.

**Other online searchable databases include multimedia, guidelines, and financial assistance program survey results.**

**The SBO-SBEAP National Steering Committee Subcommittees post information on mission, history and current status, future plans, members, conference calls, and other resources.**

## What's on the Home Page?



- ◆ News to share and state newsletters
- ◆ Key small business publications
- ◆ Small business initiatives/policies/laws
- ◆ SBO/SBEAP National Steering Committee
- ◆ SBEAP national logo
- ◆ SBTCP Reports to Congress
- ◆ SBO/SBEAP conference web site, presentations, and photos
- ◆ National and state Compliance Advisory Panel (CAP) information
- ◆ Federal environmental law summaries
- ◆ Reporting and recordkeeping calendar, summaries, and checklist
- ◆ Links to state agency, SBEAP, small business provider, and regulatory compliance web sites
- ◆ EPA SBO list of publications and EPA small business publications
- ◆ Pollution prevention, ISO 14000, and recycling waste exchange links
- ◆ Compliance assistance centers, trade associations, and other industry sector web sites
- ◆ Links to state, federal, and non-profit financial assistance program web sites
- ◆ National Small Business Financial Assistance Workgroup web page
- ◆ Mid-Atlantic Region web page
- ◆ SBO-SBEAP Listserve (forum for the small business community to exchange ideas and share information; over 155 subscribers).
- ◆ Contact information

Audrey G. Zelanko • Phone 724/452-4722 • Fax 724/452-5840 • zelanko@smallbiz-enviroweb.org

# User Statistics

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



## Top 20 Pages Visited (4th Quarter 2005)

1—Top Page	6,129	11—2006 Small Business Recognition Awards	852
2—News Scroller	2,315	12—Environmental Control Technologies	842
3—Links to State Environ. Agencies/SBEAPs	1,747	13—Summary of Major Environ. Laws/Regs	838
4—SBEAPs List of Contacts	1,317	14—Environmental Compliance Home	809
5—All Publications	1,209	15—All Upcoming Events	808
6—State Financial Assistance Programs	1,076	16—Trade Association Contacts	808
7—Search the Home Page	1,000	17—What's New on this Site?	767
8—Upcoming Events, Search by EPA Region	934	18—Links by Industry Sector	763
9—Small Business Environ. Assistance Home	888	19—Industry Sectors Home	760
10—Trade Associations	852	20—Publications, Factsheets, and Videos Home	712

## Top 10 Downloads (4th Quarter 2005)

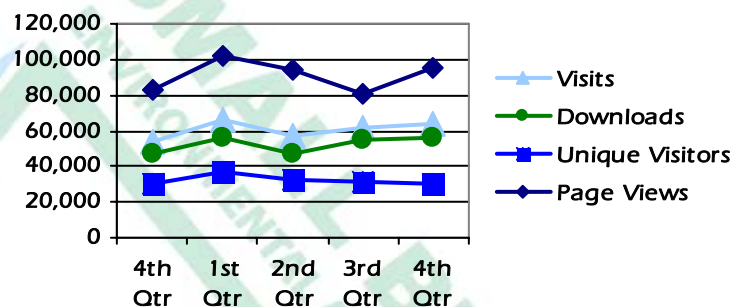
1—Practical Guide to Environmental Management for Small Business	3,553
2—Key Contacts in the Small Business Community	1,707
3—Decision-Maker's Guide to Solid Waste Management, Second Edition	1,488
4—Household Hazardous Waste Management, A Manual	1,301
5—Documenting Your Environmental Management Plan—A Workbook for Small Business	1,013
6—A Resource Directory of Small Business Environmental Assistance Providers	977
7—Flexible Air Operating Permits for Printers—A Review	733
8—Protect Yourself from Pesticides—Guide for Agricultural Workers	689
9—2004 SBO/SBAP Conference Attendance List	624
10—Managing Your Hazardous Waste—A Guide for Small Business	581



## How Much is the Home Page Used? (4th Quarter 2005)

- ◆ 332,269 successful hits
- ◆ 3,611 average hits per day
- ◆ 94,958 page views
- ◆ 1,032 average page views per day

4th Q 2004 - 4th Q 2005 User Statistics Trends



85% of visits are from the U.S.  
96% of visits are from the U.S. and the following countries: Australia, Canada, United Kingdom, India, Germany, Netherlands, China, Western Europe, Uruguay, Norway, Sweden, South Africa, Israel, Iran, Japan, Singapore, Saudi Arabia, Thailand, and South Korea.

## Glossary

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

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

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

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

*\*User statistics are collected quarterly using WebTrends software*

**SBO/SBEAP Training -- 2006 SBO/SBEAP National Conference  
Bretton Woods, NH -- March 27, 2006**

Attendees at the 2006 SBO/SBEAP National Conference participated in a mandatory training session that provided an overview of the organization, key customers, and roles and responsibilities of the program components (Small Business Ombudsman (SBO), Small Business Environmental Assistance Program (SBEAP), and the Compliance Advisory Panel (CAP)) and how they can function together to be more effective. A new topic of this year's training was how to promote the programs in order to build the awareness and support of key stakeholders such as other government agencies, legislators, and governors.

The heart of the training was an interactive group exercise where participants evaluated their programs and then collectively brainstormed to create action plans with strategies to address program weaknesses and leverage program strengths. This activity also highlighted the value of the three program components working together. To prepare for the exercise, each participant filled out a Self-assessment Checklist that evaluated their state SBEAP program along five dimensions: Legal Requirements, Program Authority, Program Characteristics, Program Awareness and Level of Support, and Program Partnerships. Participants then worked in groups focused on one of the program dimensions from the Self-Assessment Checklist to begin developing the individual action plans. The focus of the plans was to help them build the awareness and support of key stakeholders and organizations.

Participants reconvened and moderators from each group reported on their group's discussions on their assigned program dimension, and presented specific strategies to address program weaknesses. This allowed the participants to get ideas and information on all five program dimensions. Some common themes became apparent during the moderator presentations:

1. Strengthening the CAPs is very important;
2. Legislators are often not aware of the value of the state SBEAP programs;
3. Funding is an important issue, both adequate funding and consistent funding from year to year;
4. State staff need more tools to effectively communicate the value of programs, (e.g., measures, reports, presentations, and stories); and
5. All program components need to work together to optimize their effectiveness, and be aware of the needs and activities of one another.

Participants were encouraged to work with their state team members (SBO, SBEAP staff, and CAP members) after the conference to complete the action plans. The result would be a complete action plan to help them carry out key strategies for program improvement during the coming year.

For more information contact: Angela Suber, (202) 566-2827, [suber.angela@epa.gov](mailto:suber.angela@epa.gov)



## 2006 SMALL BUSINESS RECOGNITION AWARDS

The National Steering Committee (NSC) for the Small Business Ombudsman/Small Business Environmental Assistance Programs (SBO/SBEAP) recognizes several award winners every year at the National SBO/SBEAP Conference. This year the NSC held its third Annual Small Business Recognition Awards Ceremony, Monday, March 27. The ceremony was held during the thirteenth annual National SBO/SBEAP Conference at the Mt. Washington Hotel & Resort in Bretton Woods, New Hampshire. The recipients represent the finest

### **Small Business Assistance Program Award**

Kimberly Chesser, SBO for Delaware's Department of Natural Resources and Environmental Control and Jim Simpson, of Walker Concrete Company, McDonough, Georgia were each recognized for their exemplary performance in providing assistance to small businesses.

Ms. Chesser developed an innovative self-certification program addressing all of the environmental regulations pertaining to the auto body sector in Delaware. This program encourages a "beyond compliance" approach including pollution prevention, energy efficiency and best management practices.

Mr. Simpson is a volunteer on Georgia's Small Business Compliance Advisory Panel and works with regulatory agencies to help Georgia's concrete product industry understand rules and regulations that apply to their sector.

### **Trade Association Environmental Leadership Award**

The National Ready Mixed Concrete Association (NRMCA) was recognized for exemplary performance and leadership by a trade association to enhance its members' compliance with environmental regulations and to encourage stewardship of the environment. Shaun P. Carroll, President/Owner, Carroll Concrete Co. and Member of the Board of Directors for the NRMCA, accepted the award on behalf of the association.

### **Small Business Environmental Stewardship Award**

AJ's Auto Repair, of Salem, Oregon received the award because of its exemplary performance and leadership in pollution prevention by a small business. Robert Anderson, co-owner of AJ's Auto Repair, who serves on Oregon's Small Business Compliance Advisory Panel, accepted the award on behalf of his company.

### **Karen V. Brown Environmental Leadership Award**

A new award this year, it was presented to Karen V. Brown, the US EPA Small Business Ombudsman, for her many years of outstanding leadership and support of the state small business assistance programs. A surprised Ms. Brown graciously accepted the award.

For more information about the about the National Small Business Awards Recognition Program, visit the 2006 awards web page at:

[http://www.smallbiz-enviroweb.org/sba/awards\\_smallbusiness\\_2006.html](http://www.smallbiz-enviroweb.org/sba/awards_smallbusiness_2006.html).

For more information contact: Angela Suber, (202) 566-2827, [suber.angela@epa.gov](mailto:suber.angela@epa.gov)

# List of Air Toxics Implementation Tools

EPA Air Toxics Implementation Assistance Tools

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

Sorted by Title

Current through June 9, 2006

## General Interest

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

## MACT Implementation Tools Completed (listed in alphabetical order by industry)

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



Date	Implementation Assistance Tool/Document Title	EPA #
9/04	Industrial/Commercial/Institutional Boilers (MACT) <a href="http://www.epa.gov/ttn/atw/combust/boiler/boilerpg.html">http://www.epa.gov/ttn/atw/combust/boiler/boilerpg.html</a> Website links to tools: 1. Brochure: <a href="http://www.epa.gov/ttn/atw/boiler/brochure.pdf">http://www.epa.gov/ttn/atw/boiler/brochure.pdf</a> 2. Timelines: <a href="http://www.epa.gov/ttn/atw/boiler/timeline_exist.pdf">http://www.epa.gov/ttn/atw/boiler/timeline_exist.pdf</a> 3. Initial Notification: <a href="http://www.epa.gov/ttn/atw/boiler/initialnote9_13_04.pdf">http://www.epa.gov/ttn/atw/boiler/initialnote9_13_04.pdf</a> 4. Applicability Flowchart: <a href="http://www.epa.gov/ttn/atw/boiler/finalflowchart9_30_04.pdf">http://www.epa.gov/ttn/atw/boiler/finalflowchart9_30_04.pdf</a>	EPA-456/F-04-001
12/03	Integrated Iron and Steel - Inspection checklists, applicability flowcharts, compliance timeline <a href="http://www.epa.gov/ttn/atw/iisteel/iisteelpg.html">http://www.epa.gov/ttn/atw/iisteel/iisteelpg.html</a>	
8/02	Large Appliances (Surface Coating) - Overview Brochure and Timeline available <a href="http://www.epa.gov/ttn/atw/lapp/lapplpg.html">http://www.epa.gov/ttn/atw/lapp/lapplpg.html</a>	
8/02	Metal Coil (Surface Coating) - Overview Brochure and Timeline available <a href="http://www.epa.gov/ttn/atw/mcoil/mcoilpg.html">http://www.epa.gov/ttn/atw/mcoil/mcoilpg.html</a>	
8/03	Metal Can (Surface Coating) - Overview Brochure and Timeline available <a href="http://www.epa.gov/ttn/atw/mcan/mcanpg.html">http://www.epa.gov/ttn/atw/mcan/mcanpg.html</a>	
8/03	Metal Furniture (surface coating)- Overview Brochure and Timeline available <a href="http://www.epa.gov/ttn/atw/mfurn/mfurnpg.html">http://www.epa.gov/ttn/atw/mfurn/mfurnpg.html</a>	
12/03	<a href="http://www.epa.gov/ttn/atw/landfill/landfillpg.html">http://www.epa.gov/ttn/atw/landfill/landfillpg.html</a>	EPA-456/R-03-006
12/03	Municipal Solid Waste Landfill MACT - Example Moisture Mass Balance Calculations for Bioreactor Landfills <a href="http://www.epa.gov/ttn/atw/landfill/landfillpg.html">http://www.epa.gov/ttn/atw/landfill/landfillpg.html</a>	EPA-456/R-03-007
9/98	Off-Site Waste and Recovery Operations - Source Identification: Lists of Sources Potentially Subject to the Rule <a href="http://www.epa.gov/ttn/atw/offwaste/oswropg.html">http://www.epa.gov/ttn/atw/offwaste/oswropg.html</a>	EPA-456/R-98-006
10/99	Off-Site Waste and Recovery Operations - The Plain Language Implementation Assistance Document for Part 63 Subpart DD <a href="http://www.epa.gov/ttn/atw/offwaste/oswropg.html">http://www.epa.gov/ttn/atw/offwaste/oswropg.html</a>	EPA-456/R-99-007
5/2000	Oil and Gas Applicability Flowcharts <a href="http://www.epa.gov/ttn/atw/oilgas/oilgaspg.html">http://www.epa.gov/ttn/atw/oilgas/oilgaspg.html</a>	
9/2000	Pesticide Active Ingredient - Implementation Document (NOTE: Draft document only, no final will be released) <a href="http://www.epa.gov/ttn/atw/pest/pestpg.html">http://www.epa.gov/ttn/atw/pest/pestpg.html</a>	EPA-456/D-00-001
11/2000 (Revised)	Petroleum Refinery MACT Standard Guidance, Q & A online, Summary of MRR <a href="http://www.epa.gov/ttn/atw/petrefine/petrefpg.html">http://www.epa.gov/ttn/atw/petrefine/petrefpg.html</a>	EPA-456-B-00-001
2/03 (Revised)	Pharmaceutical MACT Rule (Expert system on applicability ) <a href="http://www.epa.gov/ttn/atw/pharma/pharmpg.html">http://www.epa.gov/ttn/atw/pharma/pharmpg.html</a>	
9/01	Pharmaceutical MACT Inspection checklist <a href="http://www.epa.gov/ttn/atw/pharma/pharmpg.html">http://www.epa.gov/ttn/atw/pharma/pharmpg.html</a>	
9/04	Plywood and Composite Board <a href="http://www.epa.gov/ttn/atw/plypart/plypart.html">http://www.epa.gov/ttn/atw/plypart/plypart.html</a> Website links to tools: 1. Brochure: <a href="http://www.epa.gov/ttn/atw/plypart/pcwp_brochure-cover9-30-04.pdf">http://www.epa.gov/ttn/atw/plypart/pcwp_brochure-cover9-30-04.pdf</a> 2. Requirements: <a href="http://www.epa.gov/ttn/atw/plypart/pcwprequirements9-30-04.pdf">http://www.epa.gov/ttn/atw/plypart/pcwprequirements9-30-04.pdf</a> 3. Timeline: <a href="http://www.epa.gov/ttn/atw/plypart/pcwptimeline9-30.pdf">http://www.epa.gov/ttn/atw/plypart/pcwptimeline9-30.pdf</a> 4. Initial Notification: <a href="http://www.epa.gov/ttn/atw/plypart/initialnote9_30_04.pdf">http://www.epa.gov/ttn/atw/plypart/initialnote9_30_04.pdf</a>	

Date	Implementation Assistance Tool/Document Title	EPA #
9/2000	Polyether Polyols Production - Implementation Document <a href="http://www.epa.gov/ttn/atw/polyol/polyolpg.html">http://www.epa.gov/ttn/atw/polyol/polyolpg.html</a>	EPA-456/R-00-002
10/99	Primary Aluminum - Plain Language Guide to the NESHAP-40 CFR 63, Subpart LL: Summary of Requirements <a href="http://www.epa.gov/ttn/atw/alum/alumpg.html">http://www.epa.gov/ttn/atw/alum/alumpg.html</a>	EPA-453/R-99-011
9/01	Pulp and Bleaching System NESHAP for Pulp and Paper Industry: Plain English Description <a href="http://www.epa.gov/ttn/atw/pulp/pulppg.html">http://www.epa.gov/ttn/atw/pulp/pulppg.html</a>	EPA-456/R-01-002
9/01	Pulp and Paper Combustion Sources NESHAP - A Plain English Description <a href="http://www.epa.gov/ttn/atw/pulp/pulppg.html">http://www.epa.gov/ttn/atw/pulp/pulppg.html</a>	EPA-456/R-01/003
12/03	Pulp and Paper Combustion MACT II - Inspection checklists, applicability flowcharts, compliance timelines <a href="http://www.epa.gov/ttn/atw/pulp/pulppg.html">http://www.epa.gov/ttn/atw/pulp/pulppg.html</a>	
9/04	Reciprocating Internal Combustion Engines (RICE) <a href="http://www.epa.gov/ttn/atw/combust/engine/ricepg.html">http://www.epa.gov/ttn/atw/combust/engine/ricepg.html</a> Website Links to tools: 1. Applicability Flowchart: <a href="http://www.epa.gov/ttn/atw/rice/appdiag.pdf">http://www.epa.gov/ttn/atw/rice/appdiag.pdf</a> 2. Initial Notification: <a href="http://www.epa.gov/ttn/atw/rice/notifyform.pdf">http://www.epa.gov/ttn/atw/rice/notifyform.pdf</a> 3. 2SLB Brochure: <a href="http://www.epa.gov/ttn/atw/rice/2slb_overbroc.pdf">http://www.epa.gov/ttn/atw/rice/2slb_overbroc.pdf</a> 4. 2SLB Timeline: <a href="http://www.epa.gov/ttn/atw/rice/2slb_comply.pdf">http://www.epa.gov/ttn/atw/rice/2slb_comply.pdf</a> 5. 4SLB Brochure: <a href="http://www.epa.gov/ttn/atw/rice/4slb_overbroc.pdf">http://www.epa.gov/ttn/atw/rice/4slb_overbroc.pdf</a> 6. 4SLB Timeline: <a href="http://www.epa.gov/ttn/atw/rice/4slb_comply.pdf">http://www.epa.gov/ttn/atw/rice/4slb_comply.pdf</a> 7. 4SRB Brochure: <a href="http://www.epa.gov/ttn/atw/rice/4srb_overbroc.pdf">http://www.epa.gov/ttn/atw/rice/4srb_overbroc.pdf</a> 8. 4SRB Timeline: <a href="http://www.epa.gov/ttn/atw/rice/4srb_comply.pdf">http://www.epa.gov/ttn/atw/rice/4srb_comply.pdf</a> 9. Existing SRB Timeline: <a href="http://www.epa.gov/ttn/atw/rice/4srb_excomply.pdf">http://www.epa.gov/ttn/atw/rice/4srb_excomply.pdf</a> 10. CI Brochure: <a href="http://www.epa.gov/ttn/atw/rice/ci_overbroc.pdf">http://www.epa.gov/ttn/atw/rice/ci_overbroc.pdf</a> 11. CI Timeline: <a href="http://www.epa.gov/ttn/atw/rice/ci_comply.pdf">http://www.epa.gov/ttn/atw/rice/ci_comply.pdf</a> 12. Limited Use Brochure: <a href="http://www.epa.gov/ttn/atw/rice/limit_overbroc.pdf">http://www.epa.gov/ttn/atw/rice/limit_overbroc.pdf</a> 13. Limited Use Timeline: <a href="http://www.epa.gov/ttn/atw/rice/limit_comply.pdf">http://www.epa.gov/ttn/atw/rice/limit_comply.pdf</a> 14. MACT Compliance Handbook: <a href="http://www.epa.gov/ttn/atw/rice/mactcomply.pdf">http://www.epa.gov/ttn/atw/rice/mactcomply.pdf</a>	9/04
09/05	Reinforced Plastics MACT – <a href="http://www.epa.gov/ttn/atw/rpc/rpcpg.html">http://www.epa.gov/ttn/atw/rpc/rpcpg.html</a> 1. Compliance Guide to the Reinforced Plastic Composites Production NESHAP, 40 CFR 63, Subpart WWW: <a href="http://www.epa.gov/ttn/atw/rpc/fnlbcbg_www.pdf">http://www.epa.gov/ttn/atw/rpc/fnlbcbg_www.pdf</a> 2. Reinforced Plastics - Applicability flowchart and sample notification form available at: <a href="http://www.epa.gov/ttn/atw/rpc/notificationform.pdf">http://www.epa.gov/ttn/atw/rpc/notificationform.pdf</a>	EPA-456/R-05-005
12/03	Refractory Products Manufacture - brochure, overview of testing requirements, example calculations, and overview of control options <a href="http://www.epa.gov/ttn/atw/refrac/refracpg.html">http://www.epa.gov/ttn/atw/refrac/refracpg.html</a>	
11/2000 9/03	Secondary Aluminum (Sweat Furnace Operations) - Brochure (11/00) and Plain Language Workbook (9/03), source identification information <a href="http://www.epa.gov/ttn/atw/alum2nd/alum2pg.html">http://www.epa.gov/ttn/atw/alum2nd/alum2pg.html</a>	EPA-456/F-00-004
9/03	Secondary Aluminum - example malfunction plan and notification forms, source list, applicability flowcharts, and summary of MRR <a href="http://www.epa.gov/ttn/atw/alum2nd/alum2pg.html">http://www.epa.gov/ttn/atw/alum2nd/alum2pg.html</a>	
12/03	Ship Building & Repair - Inspection checklists, applicability flowcharts, compliance timelines, CD <a href="http://www.epa.gov/ttn/atw/shipb/shipbpg.html#IMP">http://www.epa.gov/ttn/atw/shipb/shipbpg.html#IMP</a>	
12/03	Wool Fiberglass - Inspection checklists, applicability flowcharts <a href="http://www.epa.gov/ttnatw01/woolfib/woolfipg.html">http://www.epa.gov/ttnatw01/woolfib/woolfipg.html</a>	
9/97 (Revised)	Wood Furniture Manufacturing Operations NESHAP Implementation Doc. <a href="http://www.epa.gov/ttn/atw/wood/riwood.html">http://www.epa.gov/ttn/atw/wood/riwood.html</a>	EPA-456/R-97-005

## NSPS Implementation Tools Completed

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

## 111(d)/129 Implementation Tools Completed

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

## 183(e) Implementation Tools Completed

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

## Implementation Tools Planned FY05-FY06

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

\*To contact one of these persons you can e-mail them by typing: [last.name.first.name@epa.gov](mailto:last.name.first.name@epa.gov).

## **Reporting Year (RY) 2004 Toxics Release Inventory (TRI) Data Released on November 17, 2005**

The Toxics Release Inventory (TRI) data submitted to the Environmental Protection Agency (EPA) for reporting year 2004 (RY2004) was posted on the internet on November 17, 2005. This posting of the TRI data on the internet is called the Electronic Facility Data Release (e-FDR) and is the first of a two-phased approach for making RY2004 TRI data available to the public. The second phase took place on April 12, 2006, as part of the annual "Public Data Release" (PDR), which included releasing TRI data through TRI Explorer. The PDR includes national analysis and trends as well as tools to support independent analysis.

For further information contact: **Josh Woodyard** at (202) 566-0738, [woodyard.joshua@epa.gov](mailto:woodyard.joshua@epa.gov)

## **EPA Eases Permitting Requirements for Small Businesses Release Date: December 14, 2005**

To avoid unnecessary costs and burdens, EPA will no longer require five types of small businesses to obtain federal operating permits. These businesses include: neighborhood perchloroethylene dry cleaners; small ethylene oxide sterilizers that clean laboratory equipment and other items; chromium electroplaters that make items such as chrome parts for cars and plumbing fixtures; secondary aluminum production sources like car salvage yards; and halogenated solvent cleaners that clean metal parts, electronics and other objects.

The operating permit, called a Title V permit, requires a facility to make regular reports on how it is tracking and controlling emissions and to certify each year whether it has met its air pollution requirements. The Clean Air Act states that a small business may be exempted from permits if it is "impracticable, infeasible, or unnecessarily burdensome" for the small facility to meet permit requirements.

This action does not change any requirements governing the control of emissions of toxic air pollutants that apply to these facilities -- they are still required to limit their emissions of air toxics. In addition, the air toxics standards governing these businesses already require a detailed accounting of compliance. However, the additional requirements of a permit would be very costly for these small businesses and would not provide additional assurance of compliance.

For more information on this action, visit:

[http://www.epa.gov/ttn/oarpg/t5/fact\\_sheets/asourceexempt.html](http://www.epa.gov/ttn/oarpg/t5/fact_sheets/asourceexempt.html)

For further information contact: **John Millett**, 202-564-4355, [millett.john@epa.gov](mailto:millett.john@epa.gov)

# What's New in Chemical Accident Prevention

## EPA's Office of Emergency Management (OEM)

### Regulatory Developments

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

Accidental Release Prevention Requirements: Risk Management Program Requirements Under Clean Air Act Section 112(r)(7); Amendments to the Submission Schedule and Data Requirements; Final Rule. [69 FR 18819](#), April 9, 2004.
- A factsheet titled *Changes to the Chemical Accident Prevention Rule (Risk Management Program) in 2004* was issued in March 2005 and provides additional information about the reporting deadlines and the recent changes to the RMP reporting requirements. This factsheet is available on the EPA website at:  
[http://yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/RMP2004\\_factsheet.pdf/\\$File/RMP2004\\_factsheet.pdf](http://yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/RMP2004_factsheet.pdf/$File/RMP2004_factsheet.pdf)
- Frequently Asked Questions (FAQs) for the amendments were approved and are available on the EPA website at: <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/2004-FAQ.htm>
- Following the April 9th amendments to the Chemical Accident Prevention Rule, EPA updated the Clean Air Act 112(r) Frequently Asked Questions (<http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/caa-faqs.htm>) and the Frequently Asked Questions about RMP\*Submit2004 ([http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/rmp\\_submit\\_faq.htm](http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/rmp_submit_faq.htm)).
- RMP\*Submit 2004 was made available in April, 2004 as well. This software is available from the EPA website at: <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/ap-rmsb.htm>

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

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

Visit the OEM Website: [www.epa.gov/emergencies](http://www.epa.gov/emergencies)

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

Phone: 1-800-424-9346 or in DC metro area (703) 412-9810  
TDD: 1-800-553-7672 or in DC metro area (703) 412-3323

# An eRulemaking Initiative Update

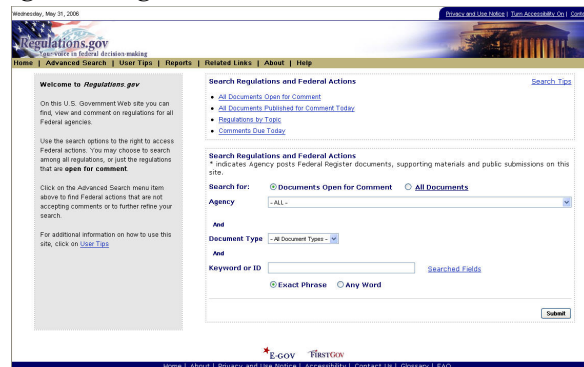


Since January 2003, *Regulations.gov* has allowed the public to view a description of every proposed rule currently open for comment, read full texts of these documents, and submit comments to the Federal agencies that have created them. More than 150 federal agencies, bureaus, commissions, and boards post Federal Register documents open for comment on *Regulations.gov*.

In September 2005, the Initiative launched a federal-wide system called the Federal Docket Management System (FDMS), a full-featured content management system that builds on the original *Regulations.gov* by expanding public access to all rulemaking docket materials as well as other non-rulemaking actions by federal Departments and Agencies including the Departments of Defense, Energy, and Housing and Urban Development, several agencies within the Department of Agriculture and the Department of Homeland Security, Department of Commerce's Patent and Trademark Office, Environmental Protection Agency, General Services Administration, National Aeronautics and Space Administration, and the National Archives and Records Administration. On a rolling basis, additional Departments and Agencies will begin posting their rulemaking dockets files that the public can access through *Regulations.gov*.

## Features of the new *Regulations.gov*:

- Access to the entire rulemaking docket
- Web form to submit comments
- Simple and sophisticated searches
- Reports
- Workflow management (roles and permissions) for agencies
- Full-text and Boolean search for agencies.



The system will continue to be enhanced to provide additional functionality such as e-mail notifications, additional report features, and full text search for public users and content categorization for federal agencies.

**Using Regulations.gov:** For detailed instructions on how to use the features on *Regulations.gov*, click on the Help menu item located at the upper right corner on your screen. If you are looking for dockets previously found on EDOCKET, you can find “legacy” dockets using the Advanced Search function. Click on Advanced Search / Docket and enter the former EDOCKET identification number in “Legacy Number.”

**Background:** The eRulemaking Initiative is one of 25 federal E-Government initiatives. EPA is the lead partner agency of this cross-government effort. The E-Government Act of 2002 (Section 206) authorizes E-Government Initiatives and requires federal agencies to support this initiative. All agencies and departments are expected to make their regulatory dockets electronically accessible and searchable via the eRulemaking Initiative's Web site, [www.regulations.gov](http://www.regulations.gov)

For further information contact: **Kristin Tensuan, 202/564-2727, [tensuan.kristin@epa.gov](mailto:tensuan.kristin@epa.gov)**

## **EPA REGULATORY AGENDA – Spring 2006** **Potential Impacts on Small Businesses**

Twice a year, EPA publishes the *Semiannual Regulatory Agenda* to update the public about:

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

Under the Regulatory Flexibility Act (RFA)/Small Business Regulatory Enforcement Fairness Act (SBREFA), EPA must prepare a formal analysis of the potential negative impacts on small entities, convene a Small Business Advocacy Review Panel on proposed rules, and prepare a Small Entity Compliance Guide on final rules, unless the Agency certifies that a rule will not have a significant economic impact on a substantial number of small entities. The Spring 2006 Agenda lists eight rules that the Agency believes may require a Regulatory Flexibility Analysis because the rules are likely to have such effects on small businesses. These rules are:

- Control of Emissions From Spark-Ignition Engines and Fuel Systems From Marine Vessels and Small Equipment
- Control of Hazardous Air Pollutants From Mobile Sources
- Rule on Section 126 Petition From NC To Reduce Interstate Transport of Fine PM and O<sub>3</sub>; FIPs to Reduce Interstate Transport of Fine PM & O<sub>3</sub>; Revisions to CAIR Rule; Revisions to Acid Rain Program
- Control of Emissions From New Locomotives and New Marine Diesel Engines Less Than 30 Liters per Cylinder
- Lead-Based Paint Activities; Amendments for Renovation, Repair and Painting
- National Primary Drinking Water Regulations: Ground Water Rule
- National Primary Drinking Water Regulations: Radon
- National Primary Drinking Water Regulations: Revisions to the Total Coliform Monitoring and Analytical Requirements and Additional Distribution System Requirements

The Agency also lists rules which they believe are likely to have an impact on small entities even though a Regulatory Flexibility Analysis may not be required. The Spring 2006 Agenda lists ninety-nine such rules. Given the large number, not all of these rules are listed here. The Small Business Ombudsman Team is currently tracking a number of rules that could impact small businesses. Below are some of the major rules that we are currently tracking.

- CAA – NESHAPS: Area Source Rules (50); Residual Risk Rules (13); VOC: Architectural Coatings & National Standards for Consumer Products; Clean Air Mercury Rules; Stationary Spark-ignited and Compression-ignited Internal Combustion Engines
- CWA – Definition of Waters of the US; SPCC Rule; National Primary Drinking Water Regulations: Enhanced Surface Water Treatment Rule; Disinfection Byproducts Rule; Aldicarb Rule
- EPCRA – Amendments to EPCRA (Sara Title III); TRI Rules (5)
- FIFRA - Pesticides: 1) Management & Disposal; 2) Data Requirements (several); 4) Registration Review; 5) Registration Requirements
- RCRA – Revision to Definition of Solid Waste; Burden Reduction; Solvent-contaminated Industrial Wipes
- TSCA – Significant New Use Rules (4); Lead-based Sinkers Proposed Ban; Lead-based Paint (several); Testing Agreements (11); Notification of Chemical Exports; Asbestos Model Accreditation Plan Revisions; PCBs

Section 610(a) of the Regulatory Flexibility Act (5 U.S.C. 601) requires each agency to have a plan for the periodic review of its rules that have a significant economic impact on a substantial number of small entities. Each agency must publish annually in the Federal Register a list of the rules that it plans to review in the next year. The Spring 2006 agenda lists one such rule:

- Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7) (**Section 610 Review**)

For More information or an electronic copy of the Spring 2006 Agenda visit <http://www.epa.gov/epahome/rules.html>

**Contact: Karen Brown, 202/566-2816, [brown.karen@epa.gov](mailto:brown.karen@epa.gov)**

# STATUS OF HIGH VISIBILITY ACTIONS

## OBTAINING ADDITIONAL INFORMATION FOR SMALL BUSINESS

Some articles in this newsletter cite reference publications by Item Number that provide additional information on the topic. These publications can be ordered by completing the Publication Order form on the last page. In addition, the Ombudsman's Office maintains an inventory of over 300 EPA and related publications containing useful environmental information for small business. A complete listing of these publications can be obtained by calling the Ombudsman's Office at **1-800-368-5888** or **202-566-2855**.

### CLEAN AIR ACT (CAA)

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

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

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

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

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

#### **Urban Air Toxics Strategy**

This Strategy is an integrated framework for addressing air toxics in urban areas by looking at stationary, mobile, and indoor source emissions. Air toxics can pose special threats in urban areas because of the large number of people and the variety of sources of toxic air pollutants, such as vehicles, large factories, gasoline stations, and dry cleaners. Individually, some of these sources may not emit large amounts of toxic pollutants, however,

collectively can produce potentially significant health effects. Although existing programs have already achieved substantial emission reductions, more needs to be done to reduce toxics air pollutants, particularly in the urban areas. The Strategy outlines actions to reduce emissions of air toxics and assessment activities to improve EPA's understanding of the health and environmental risks posed by air toxics in urban areas. One of these actions is to promote local decision making on reducing toxics in a community environment. As a result, EPA is working with over 30 communities to help assess and address their air toxics problems. The Strategy includes a list of 33 air toxics that pose the greatest potential health threat in urban areas, and also provides a list of 70 area source categories responsible for a substantial portion of the emissions of these air toxics. 15 area source standards have been developed thus far and 55 more will be addressed in the future. For more information about the Strategy, visit EPA's web site at [www.epa.gov/ttn/atw/urban/urbanpg.html](http://www.epa.gov/ttn/atw/urban/urbanpg.html). **Contact: Yvonne W. Johnson**, 919-541-3921.

#### **Residual Risk and MACT standard Review Program**

Eight years after EPA published a final technology-based NESHAP for a source category, we are required to determine if the residual risk from air toxics emissions for that source category are protective of human health and the environment. We are also required to review the technology-based standards every eight years after publication. We plan to accomplish this goal by developing "risk and technology reviews" for large groups of source categories, including both a residual risk assessment and a review of the MACT standards. The first risk and technology review, covering about 30 source categories, is expected to be released as an advance notice of proposed rulemaking before the end of 2006. For more information, visit the web at <http://www.epa.gov/ttn/atw/risk/residriskpg.html>.

**Contact: Standards Development – Risk and Technology Review (RTR) - Paula Hirtz at 919-541-2618; RTR (Petroleum Refineries and Publicly Owned Treatment Plants) Bob Lucas at 919-541-0884; and Risk Assessment - Roy Smith at 919 541-5362**

#### **Final Amendments to Air Toxics Standards for Perchloroethylene Dry Cleaners**

On July 13, 2006, the EPA finalized amendments to its 1993 regulations for drycleaners. The amended regulations cover large industrial drycleaners as well as smaller neighborhood drycleaners and those located in apartment buildings. **Find more information on the rule at [epa.gov/air/drycleaningrule](http://epa.gov/air/drycleaningrule).**  
**Contact: Warren Johnson** at 919-541-5124.



## Section 112(j) (Hammer Date) Status

All facilities that are major sources of HAP, and were listed in a source category on EPA's source category list for which we have not promulgated a final NESHAP, were required to submit a Part 1 title V permit application to their permitting authority by May 15, 2002 to develop case-by-case maximum achievable control technology (MACT) **to incorporate into their title V permit.** Major sources are those that emit from the entire contiguous facility 10 tons or more of any single HAP or 25 tons or more of any combination of HAP.

The 112(j) permit application process consists of two parts. Part 1 (that was due May 15, 2002) is basically a simple informational notification that the source is subject to the section 112(j) rule and is in an affected source category. Part 2 of the application would contain the more detailed, comprehensive information necessary for the permitting authority to develop case-by-case MACT and issue a permit within 18 months after receiving a complete Part 2 application. The schedule for Part 2 depends on the specific source category. Once a final NESHAP has been signed by the Administrator, the Part 2 application is no longer necessary, and the 112(j) requirements are no longer applicable. Sources in only 2 NESHAP are potentially subject to 112(j): Industrial, institutional, and commercial boilers, and process heaters that burn hazardous waste; and hydrochloric acid production furnaces that burn hazardous waste. Part 2 applications are due for these sources by 8/13/05, unless the final rules are signed by that date.

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

**Contact: Rick Colyer at 919-541-5262.**

## Hazardous Air Pollutant Standards for Several Categories of Industrial Combustion Sources

The Agency is developing rules under Section 112 of the Clean Air Act (CAA) to limit emissions of hazardous air pollutants from several industrial combustion sources. This may include rules for boilers, process heaters, stationary combustion turbines, and/or stationary reciprocating internal combustion engines. These sources are used primarily for energy generation in a wide variety of industries and they burn a variety of fuels (e.g., wood, oil, coal, natural gas). The rules could affect thousands of sources nationwide and have significant environmental, health, and cost impacts. See <http://www.epa.gov/ttn/atw/combust/list.html> for more information on these rules.

## Organic Liquids Distribution (Non-Gasoline)

On February 3, 2004 the Agency promulgated national emission standards for hazardous air pollutants that establish maximum achievable control technology (MACT) for facilities distributing organic liquids. This standard addresses activities associated with the storage and distribution of organic liquids other than gasoline at sites that produce or use organic liquids or

serve as distribution points from which organic liquids may be obtained for further use and processing.

EPA received five (5) Petitions for Reconsideration regarding this rule. All were granted and amendments to the rule are being written. The first amendment which addresses the petitions was proposed November 14, 2005. We are hoping to propose a second amendment which addresses the remaining petition before mid year 2006. See <http://www.epa.gov/ttn/atw/orgliq/orgliqpg.html> for a copy of the final rule. **Contact: Martha Smith at 919-541-2421**

## Perchloroethylene (PCE) Health Effect Assessment

EPA's National Center for Environmental Assessment in The Office of Research and Development (ORD) has started a health assessment to update the Agency's data base on possible health hazards associated with chronic exposure to perchloroethylene. The assessment will characterize hazard and dose-response for cancer and non-cancer toxicity. In addition to conclusions about cancer hazards, if any, a reference concentration (RfC) for inhalation exposure and a reference dose (RfD) for ingestion exposure will be recommended. The assessment began in the Spring of 1999, and completion is expected in calendar year 2004 or 2005. The exact date depends on what additional work might be necessary as a result of comments to be made in the review process. The Agency's plan is to develop the assessment, with a full peer and public review process, and then provide a data file for insertion into the EPA Integrated Risk Information System (IRIS) which records the Agency-wide viewpoint on health assessment issues.

## CLEAN WATER ACT (CWA)

### New EPA Water Efficiency Program Saves Dollars and Makes Sense

WaterSense, a new water efficiency program launched by EPA on June 12, 2006, will educate American consumers on making smart water choices that save money and maintain high environmental standards without compromising performance.

"Efficient products and informed consumers lead to smart water use. EPA's WaterSense program will provide water solutions that are a win-win for our wallets and our environment. WaterSense just makes sense," said EPA Administrator Stephen L. Johnson. "WaterSense advances President Bush's cooperative conservation goals through education, not regulation - spreading the ethic of water efficiency and promoting the tools to make wise water choices."

The WaterSense program aims to raise awareness about the importance of water efficiency, ensure the performance of water-efficient products and provide good consumer information. The WaterSense label will be easily identified on products and services that perform at least 20 percent more efficiently than their less efficient counterparts.

Easily corrected household water leaks frequently rob consumers of eight percent of their water bill. At least 30 percent of water used by household irrigation systems is lost through wind evaporation and improper design, installation or maintenance. The

average household adopting water efficient products and practices can save 30,000 gallons per year - enough to supply a year of drinking water for 150 of their neighbors.

Manufacturers can certify these products meet EPA criteria for water efficiency and performance by following testing protocols specific to each product category. In addition, products will be independently tested to ensure EPA specifications are met. These products will be available to families and businesses early next year.

Information about the WaterSense water efficiency program can be found at: <http://epa.gov/watersense>.

## **Proposed Revision to the CAFO NPDES Regulations**

EPA anticipates publishing proposed revisions to the CAFO NPDES regulations in early July. Interested parties will have 45 days to comment on those revisions, which are necessary as a result of the 2nd Circuit Court of Appeals ruling in the Waterkeeper court case. The revisions will principally affect larger facilities (>1,000 animal units), who under the proposed rule would only have to apply for an NPDES permit if they have a discharge. The criteria for determining when a smaller facility could become a CAFO are not changing. The revisions to the CAFO regulations would also require all CAFOs seeking coverage under a permit to submit their nutrient management plan with their application for an individual permit or notice of intent to be authorized under a general permit. Permitting authorities would be required to review the plans and provide the public with an opportunity for review and comment. Information about EPA's CAFO program can be found at: <http://cfpub.epa.gov/npdes>.

## **Clean Water Tribal Resource Directory for Wastewater Treatment Assistance**

This directory highlights programs that provide funding and technical assistance to tribes for wastewater infrastructure construction and management. The directory assists users in identifying programs that can provide the appropriate assistance for their wastewater needs. The directory is currently being updated to include information on programs that provide funding and technical assistance to tribes for drinking water needs as well as wastewater needs. The updated directory will also have updated program contact information and will feature several success stories of tribes that have secured assistance from multiple programs and organizations.  
<http://www.epa.gov/owm/mab/indian/cwtrd.htm>

## **Cooling Water Intake Structures**

Section 316(b) of the Clean Water Act directs EPA to assure that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact. The withdrawal of cooling water from waters of the U.S. harms billions of aquatic organisms each year, including fish, fish larvae and eggs, crustaceans, shellfish, sea turtles, and marine mammals. Most damage is done to early life stages of fish and shellfish.

Cooling water intake structures are used across a range of industrial categories, including steam electric power generation, pulp and paper manufacturing, chemical manufacturing, petroleum refining, and metals manufacturing. EPA developed these regulations in three phases. The first phase, in December

2001, covered new facilities and had no significant impact on small businesses. The second phase, in July 2004, established requirements for cooling water intake structures at existing electric power generating plants that use at least 50 million gallons of cooling water a day. Most of the facilities covered by Phase II are owned by large businesses or government jurisdictions; the final rule had no significant economic impact on small entities. The Administrator signed a final rule for Phase III on June 1, 2006. This final rule established standards for new oil and gas extraction facilities. The Phase III rule will not affect any existing small businesses. For new facilities, the costs and impacts for small business will not be significant.

## **Analytical Methods for Wastewater and Drinking Water**

EPA is adding and updating procedures for sampling and analysis in wastewater and drinking water. These revisions for analytical methods provide additional choices to the set of EPA-approved methods for measuring pollutants. The newly-approved methods also reflect improvements in science and technology and, in some instances, offer more cost-effective ways to monitor for compliance. We plan to issue a final regulation in late summer 2006 for the updates. To find out more about the updated procedures, view the website at <http://epa.gov/waterscience/methods/>

## **Effluent Guidelines Program**

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

The effluent guidelines program operates on a two-year planning cycle. In September 2004, EPA announced the effluent guidelines to be revised or developed in the next few years. EPA identified four industries to consider for effluent guidelines rulemaking. Two of these industries-Airport Deicing Operations and Drinking Water Supply and Treatment-are not currently subject to effluent guidelines. The other two industries-Vinyl Chloride Manufacturing, which is part of the Organic Chemicals, Plastics, and Synthetic Fibers point source category, and Chlor-Alkali manufacturing, which is part of the Inorganic Chemicals point source category-are subject to existing effluent guidelines. The plan and several supporting documents are available on the Internet at <http://epa.gov/guide/plan.html>.

In August 2005, EPA published a preliminary plan to prepare for the 2006 announcement of regulations to be revised or developed. EPA proposed additional study for three industries before making a decision about the need for regulation: Steam Electric Power Generation; Pulp, Paper, and Paperboard; and Tobacco Products. We expect to publish the 2006 Effluent Guidelines Plan in September 2006.

Chlorine and Chlorinated Hydrocarbon (CCH) Manufacturing Facilities (formerly called Vinyl Chloride and Chlor-Alkali)

Chlorine and Chlorinated Hydrocarbon (CCH) manufacturing facilities were identified as discharging significant quantities of toxic pollutants in the 2004 Effluent Guidelines Program Plan. Of particular concern is the quantity and toxicity of dioxin discharges in treated wastewater.

Current effluent guidelines for chlorine manufacturing facilities that use the chlor-alkali process are in 40 CFR Part 415 (Inorganic Chemicals Manufacturing Point Source Category), and current effluent guidelines for chlorinated hydrocarbon manufacturing facilities are in 40 CFR Part 414 (Organic Chemicals, Plastics, and Synthetic Fibers Point Source Category). The original scope of the regulatory project, as we identified it in March 2005, included only those facilities that manufacture vinyl chloride, polyvinyl chloride, and chlorine (using the chlor-alkali process only). Based on data collected in the first year of the project, we expanded our study to include all facilities that (1) manufacture chlorinated hydrocarbons containing only chlorine, hydrogen and carbon atoms using direct chlorination, oxychlorination and dehydrochlorination (excluding pesticides and pharmaceuticals) and (2) manufacture chlorine using any type of process, including chlor-alkali. This scope expansion resulted in approximately 10 additional facilities being added to the project list.

EPA has been collecting information on CCH facilities since March 2005. EPA is visiting facilities and sampling wastewater to gain a better understanding of manufacturing operations and to analyze process wastewater and treatment technologies. We plan to send a questionnaire to all facilities identified as manufacturing CCH products. We announced our questionnaire plans in the Federal Register in April 2006; the comment period closed on June 19, 2006. The questionnaire is available for public review at [www.regulations.gov](http://www.regulations.gov). Three CCH facilities scheduled to receive a questionnaire have been identified as small businesses. More details about data collection activities are posted on the CCH Effluent Guideline website at: <http://www.epa.gov/waterscience/guide/>

## **Concentrated Aquatic Animal Production**

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

In May 2006, we posted a guidance document to help permit writers develop wastewater discharge permits and to help producers comply with the requirements at their CAAP facilities. The document addresses questions about applicability of the rule to various species and production systems. The document also includes information about the permit process and about compliance technologies. Another helpful section includes Frequently Asked Questions. For more CAAP information, please visit <http://www.epa.gov/guide/aquaculture/guidance/index.html>

## **Guidance Document for Pharmaceutical Manufacturing Permits**

EPA revised regulations in September 1998 for the pharmaceutical manufacturing industry to control both effluent discharges and air emissions. Wastewater regulations apply to four manufacturing subcategories: fermentation; extraction; chemical synthesis; and mixing, compounding and formulating.

In January 2006, EPA prepared a guidance document to help permit writers and pretreatment coordinators develop wastewater discharge permits and pretreatment requirements for pharmaceutical manufacturing facilities. The document discusses topics such as pollutants covered by the rule; compliance technologies; where to demonstrate compliance; and the permit issuance process. The document also includes case studies showing the development of NPDES permits in each subcategory. The guidance document is available at <http://www.epa.gov/waterscience/guide/pharm/permit-fs.html>

## **Drinking Water Treatment Facilities**

In September 2004, EPA started collecting information for a new effluent guideline to address the direct discharge of drinking water treatment residuals to surface water, and for the indirect discharge of residuals to wastewater treatment plants. Pollutants of concern that might be addressed include suspended solids, aluminum salts, iron salts, organic matters, polymer, lime, desalination concentrates, radionuclides, and arsenic. It is important to note, however, that EPA has not yet decided whether any discharge controls are necessary. EPA is collecting information on the production, management, and potential environmental impacts of residuals in order to decide whether discharge controls are warranted. EPA is also gathering information concerning the potential regulatory burden on small public and privately-owned drinking water treatment systems. More details about data collection activities are posted on the Drinking Water Treatment Effluent Guideline website at: <http://www.epa.gov/waterscience/guide/>

## **SAFE DRINKING WATER ACT (SDWA)**

### **Safe Drinking Water Act (SDWA) Regulation Overview Workbook:**

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

Small Drinking Water Systems Variances - Revision of Existing National-Level Affordability Methodology and Methodology to Identify Variance Technology that is Protective of Public Health

EPA issued a Federal Register notice in March 2006, requesting public comment (for 60 days) on several proposed revised methods to determine when variances can be granted by state agencies to small systems that cannot afford to comply with future drinking water standards. A small-system variance allows a drinking water system to use a treatment technology that is both affordable and protects public health. Variances are not available for microbial contaminants such as bacteria, viruses, or other organisms. The Safe Drinking Water Act requires EPA to identify affordable treatment technologies for small systems for each new drinking-water standard. This proposal responds to a request from Congress and other stakeholders that EPA review its approach for assessing the affordability of drinking water regulations. A final report is expected to be released in late 2006. For more information and to access the notice go to <http://www.epa.gov/safewater/smallsys/affordability.html>

### **Setting Small Drinking Water System Rates for a Sustainable Future**

As part of its on-going efforts to promote sustainable water infrastructure, EPA has released a new document to help water utilities consider whether their rate structures sufficiently address the costs of ensuring safe and clean water. This document is for owners and operators of small community drinking water systems serving 3,300 or fewer persons. It is designed to help these owners and operators understand the full costs of providing a safe and adequate supply of drinking water to their customers, and to guide them in setting water rates that will support these costs. Systems that will find this guide useful are small publicly or privately owned entities whose primary business is providing drinking water, as well as homeowner associations and manufactured housing communities. Copies of this document can be obtained from the EPA Safe Drinking Water Hotline at 800-426-4791. Please reference EPA Document # 816-R-05-006. Copies of this document can also be obtained from the EPA website at [http://www.epa.gov/safewater/smallsys/pdfs/guide\\_smallsystems\\_f inal\\_ratesetting\\_guide.pdf](http://www.epa.gov/safewater/smallsys/pdfs/guide_smallsystems_f inal_ratesetting_guide.pdf)

### **Asset Management Workbook**

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

### **Sources of Technical and Financial Assistance for Small Drinking Water Systems**

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

### **Asset Inventory Workbook for Very Small Water Systems**

EPA has developed a workbook entitled Taking Stock of Your Water System: A Simple Asset Inventory for Very Small Drinking Water Systems to assist very small water systems, those serving a population of 500 or less, (including manufactured housing communities and homeowners associations) in conducting a simple inventory of infrastructure for capital planning purposes. This workbook is essential in keeping these types of water systems running properly and making sure that the drinking water produced by these systems is reliable, safe, and affordable. Copies of this document can be obtained from the Office of Water Resources Center or the EPA Safe Drinking Water Hotline at 800-426-4791 or at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

### **Strategic Planning Workbook**

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

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

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

## Small System Partnership Solutions

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

## Consumer Confidence Reports (CCR)

All community water systems are required to provide annual drinking water quality reports to their customers. Systems must deliver these reports to their customers by July 1 each year. These short reports provide consumers of public drinking water supplies with information on the source of their drinking water, levels of any contaminants found in the water, and potential health effects of any contaminants that exceed federal or state public health standards, as well as provide them with information on how to participate in drinking water protection. Systems began providing these reports to consumers in 1999. Results for the first five years indicate that over 95% of systems required to prepare and distribute these reports did so by the required deadline. In 2002, EPA developed an internet-based tool, CCRiWriter, to assist water systems with preparing their CCRs. This web version is intended to reduce the burden to drinking water systems. The program uses a question and answer format to walk users through all of the required sections of the CCR. The website allows systems to enter data, edit information, save reports, and store information on-line. Standard information, such as definitions and other required information, is already included to save time. In 2005, over 2,300 reports were created using the CCRiWriter. The on-line software is available on the EPA website at <http://www.epa.gov/safewater/ccr/ccrwriter.html>

## Source Water Assessments

States have completed 95% of the source water assessments, which amounts to about 155,000 assessments for those public water systems in existence since 2000. EPA expects the balance of the assessments to be completed within 2006. These assessments are required under the 1996 Amendments to the Safe Drinking Water Act. States have delineated source water areas, identified potential sources of contamination within those areas, evaluated the susceptibility of the drinking water supplies to contaminants that may be released from these contamination sources, and made the results of the assessments available to the public. Information from the assessments is being used by states, communities, and water suppliers to develop and implement comprehensive strategies for protection of sources of drinking water and for public health. Information on source water assessments and how they are available in any state can be found at individual state source water websites which are accessible through EPA's source water website at <http://www.epa.gov/safewater/protect/protect.html>

## Contaminant Candidate List - Publication of Notice of Preliminary Regulatory Determinations

The Safe Drinking Water Act (SDWA), as amended in 1996, directs EPA to publish a list of contaminants (referred to as the Contaminant Candidate List, CCL) to assist in priority-setting efforts. SDWA also directs the Agency to periodically determine whether or not to regulate at least five contaminants from the current CCL with a national primary drinking water regulation (NPDWR). In a Federal Register notice, dated July 18, 2002 (68 FR 42897), EPA announced its final determinations for nine contaminants which had sufficient information to make a determination. The nine contaminants are as follows: aldrin, dieldrin, hexachlorobutadiene, manganese, metribuzin, naphthalene, sodium, sulfate, and Acanthamoeba. EPA's determination is that no regulatory action is appropriate or necessary for the nine contaminants, because regulation of these contaminants would not present a meaningful opportunity for health risk reduction for persons served by public water systems.

## Contaminant Candidate List - Publication of Final Notice

The Safe Drinking Water Act (SDWA), as amended in 1996, requires the Environmental Protection Agency (EPA) to publish a list of contaminants every five years, which, at the time of publication, are not subject to any proposed or promulgated national primary drinking water regulations (NPDWRs), that are known or anticipated to occur in public water systems, and which may require regulations under SDWA (section 1412 (b)(1)). EPA published a final report to notify the public of its decision to carryover 51 contaminants on the 1998 CCL to the CCL2 on February 24, 2005 (70 FR 9071). The notice also provided information on EPA's efforts to expand and strengthen the underlying CCL listing process to be used for future CCL listings and requested public comment on CCL-related activities to improve the drinking water contaminant listing process.

## Six-Year Review - Publication of Notice with Preliminary Decisions

Section 1412(b)(9) of the Safe Drinking Water Act (SDWA), as amended in 1996, requires the Agency to periodically review existing national primary drinking water regulations (NPDWRs) and determine whether revisions are necessary. On July 18, 2003, the Agency announced in the Federal Register (68 FR 42907) its decisions for 68 chemical NPDWRs and the Total Coliform Rule (TCR). Based on its review, the Agency decided that the 68 chemical NPDWRs remain appropriate at this time and that one rule, the TCR, should be revised.

Tool will Help Small Drinking Water Utilities Determine Federal Monitoring Requirements under the Safe Drinking Water Act

EPA has developed an interactive Rule Wizard website that provides a complete list of all of the federal monitoring requirements for a selected type and size of public drinking water system, such as a community water system serving 3,300 people using ground water as a source of supply. To launch the Rule Wizard go to: <http://www.RuleWizard.org>

EPA has developed this new interactive CD-Rom and web site as part of our ongoing public drinking water sustainable infrastructure efforts. The purpose of this guide is to help drinking water system owners and operators better understand the general procedures involved in collecting Safe Drinking Water Act samples. Additional sample shipping suggestions, sample tips, and sample requirements are made available within the body of this interactive guide. Copies of this interactive multimedia tool can be obtained from the Office of Water Resources Center or by calling the Safe Drinking Water Hotline at 1-800-426-4791. When ordering, please make sure to reference the EPA Publication Number and the name of the CD: EPA's Interactive Sampling Guide for Drinking Water System Operators: CD in English EPA 816-C-06-001, CD in Spanish EPA 816-C-06-003, Brochure EPA 816-F-06-013. Additional information can be found at <http://www.epa.gov/safewater/smallsys/samplingcd.html>.

### **New Guidance Helps Small Drinking Water Systems Identify Affordable Treatment Options**

EPA has released a new guidance document to help small drinking water systems provide safe and affordable drinking water to their customers. Cost can be a serious impediment for very small systems planning to install expensive centralized contaminant-removal equipment. The guidance document, Point-of-Use or Point-of-Entry Treatment Options for Small Drinking Water Systems, provides operators and water officials with valuable information about treatment devices that can be installed at a consumer's tap (Point of Use) or on the water line to a consumer's home or building (Point of Entry). The guidance describes pertinent requirements of the Safe Drinking Water Act and current federal regulations. It also contains a summary of individual state requirements and a collection of case studies that illustrate how small systems have implemented these treatment options in the past. Point-of-use devices, such as reverse-osmosis filters, are usually installed under a kitchen sink and can comply with drinking water standards for such contaminants as arsenic, lead, and radium. Point-of-entry devices are installed outside the home or business and can treat an even wider variety of contaminants. Depending on local conditions, the devices may reduce costs by more than 50 percent. Owners and operators of small drinking water systems will find the guidance useful during the planning stage, including pilot testing, public education, and operation. Maintenance and other implementation issues are also covered. Read the guidance at <http://epa.gov/safewater/smallsys/ssinfo.htm#two>

### **3Ts Reducing Lead in Drinking Water at Schools and Child Care Facilities Toolkit**

EPA is reaching out to schools and child care centers across the country with a specialized toolkit to encourage school officials and child care providers to take steps that can reduce lead in drinking water at their facilities. The 3Ts Reducing Lead in Drinking Water at Schools and Child Care Facilities Toolkit contains all the materials school officials and child care providers will need to effectively carry out training, testing, and telling strategy at their facilities - tools to guide users through the process of developing and managing a lead in drinking water reduction program. To order copies of the full toolkit, call the Safe Drinking Water Hotline at 1-800-426-4791. To access the toolkit

guidance and more information go to <http://www.epa.gov/safewater/schools/guidance.html#3ts>  
Long Term 1 Enhanced Surface Water Treatment Rule Update

EPA finalized the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) on January 14, 2002 (Federal Register, vol. 67, no. 9, pages 1812-1844). The purpose of the LT1ESWTR is to improve control of microbial pathogens, specifically the protozoan *Cryptosporidium* in drinking water and address risk trade-offs with disinfection byproducts. Under the LT1ESWTR, finished water reservoirs must be covered if construction begins on or after March 15, 2002. The rule also ensures that microbial protection is not jeopardized if systems make changes to comply with the requirements of the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1 DBPR). This is accomplished by requiring systems to evaluate their disinfection practices through a process called disinfection profiling, beginning either July 1, 2003, or January 1, 2004 (based on system size). Finally, systems must meet strengthened filtration performance standards by January 2005. The LT1ESWTR applies to public water systems that use surface water or ground water under the direct influence of surface water and serve fewer than 10,000 persons. The full text of the LT1ESWTR as well as fact sheets and guidance materials may be found at [www.epa.gov/safewater/mdbp/lt1eswtr.html](http://www.epa.gov/safewater/mdbp/lt1eswtr.html).

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

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

### **Filter Backwash Recycling Rule Update**

EPA published the Filter Backwash Recycling Rule (FBRR) on June 8, 2001 (National Primary Drinking Water Regulations: Filter Backwash Recycling Rule - Final Rule) in the Federal Register (vol. 66, no. 111, pages 31085-31105). The purpose of the FBRR is to further protect public health by requiring public water systems (PWSs), where needed, to institute changes to the return of recycle flows to a plant's treatment process that may otherwise compromise microbial control. Systems were required to submit notification of their recycle practices to the State by December 8, 2003. In addition, systems were to comply with an approved recycle return location as well as maintain additional recycle information on file for State review beginning June 8, 2004. The Filter Backwash Recycling Rule (FBRR) Technical Guidance Manual has been developed to provide operators with practical guidance and relevant information to assist them with the Filter Backwash Recycling Rule provisions. This guidance is available for download from EPA's website along with the full text of the FBRR, fact sheets and other guidance materials at <http://www.epa.gov/safewater/filterbackwash.html>

## Ground Water Rule Update

On May 10, 2000, EPA proposed rules to protect consumers of public drinking water supplies, which draw water from wells, springs or other ground water sources, from microbial contaminants (Federal Register, vol.65, no.91, pages 30194-30274). The EPA is required under the Safe Drinking Water Act to promulgate the Ground Water Rule (GWR) to require disinfection, as necessary, for drinking water systems using ground water. Drinking water systems using surface water have been required to disinfect since 1989. The GWR establishes a multi-barrier strategy designed to identify high-risk water systems, and will require corrective action (which may include disinfection, elimination of contamination sources, correcting significant deficiencies, or obtaining a new source) only where contamination or significant deficiencies have been identified. The Ground Water Rule is expected to be promulgated in late 2006.

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

EPA is currently developing a simple workbook to guide small systems in achieving compliance with the Stage 1 Disinfectants and Disinfection By-Products rule. The workbook will include worksheets and other tabular and graphical tools to help systems organize their data and think through compliance options. EPA is expecting to have this workbook completed by mid-summer 2006.

### **The Stage 1 Disinfectants and Disinfection Byproducts Rule Basic Guide, Supplement A and Supplement B (Part of the Simple Tools for Effective Performance (STEP) Series):**

As part of its on-going efforts to protect public health by ensuring safe drinking water, EPA has released three new documents to help drinking water systems meet federally health based standards. These new documents focus on the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1 DBPR), which is intended to protect against health risks associated with certain disinfection byproducts, specifically TTHM and HAA5. The documents will help drinking water system operators to comply with the Stage 1 DBPR by providing information about (1) The health risks associated with disinfectants, disinfection byproducts (DBPs), and residual disinfectants; (2) The monitoring requirements of the Stage 1 DBPR; (3) How to determine if you are in compliance; (4) What to report to the state and customers; and (5) How to maintain compliance through partnerships, treatment, and other options. The three guides include:

- Basic Guide - for community water systems (CWSs) and non-transient non-community water systems (NTNCWSs) that add a chemical disinfectant and serve fewer than 10,000 persons.
- Supplement A - for CWSs, NTNCWSs, and transient non-community water systems (TNCWSs) that use chlorine dioxide and CWSs and NTNCWSs that use ozone.
- Supplement B - for Subpart H CWSs and NTNCWSs that add a chemical disinfectant and use conventional filtration.

Copies can be obtained from the Office of Water Resource Center at (202) 566-1729 or by calling the Safe Drinking Water Hotline at (800) 426-4791. When requesting copies, please reference document number EPA 816-B-05-004 for the Basic Guide, EPA 816-05-005 for Supplement A, and EPA 816-05-006 for Supplement B. These documents and additional information on implementing microbial and disinfection byproduct rules are available on EPA's website at <http://www.epa.gov/safewater/mdbp/implement.html>

## Stage 2 Disinfectants/Disinfection Byproducts Rule

The Safe Drinking Water Act Amendments of 1996 require EPA to promulgate a regulation to reduce adverse health effects associated with disinfection byproducts. EPA finalized the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR) on December 15, 2005. The intent of the rule is to reduce the variability of exposure to disinfection byproducts (DBPs) for people served by different points in the distribution systems of public water supplies. Under the Stage 2 DBPR, systems first conduct an Initial Distribution System Evaluation (IDSE) by monitoring for TTHM and HAA5 at a specified number of locations across their distribution system to determine where high levels of DBPs occur. Systems then use this data to select their highest DBP sites for Stage 2 compliance monitoring. The Stage 2 DBPR includes a number of features to reduce the burden for small public water systems covered by this rule. Systems serving fewer than 500 people that have DBP data are eligible for a waiver from IDSE monitoring, as are systems of any size with consistently low levels of DBPs. In addition, all monitoring requirements for the Stage 2 DBPR are population-based, so small systems have a reduced monitoring burden compared to larger systems. In some cases, small systems will see a reduction in monitoring compared to their current requirements under the Stage 1 DBPR because of the switch to population-based monitoring. The compliance schedule for the Stage 2 DBPR generally gives small systems more time to comply. If a small system is a "consecutive system" (a system that receives finished water from another system), it must comply with the rule on the same schedule as the system with the earliest compliance date in the combined distribution system. This allows all systems in the combined distribution system to understand DBP levels throughout their distribution systems at the same time, and will result in better treatment and operational decisions to ensure compliance for all systems. EPA is developing guidance and training materials to help systems comply with the Stage 2 DBPR, including an Initial Distribution System Evaluation Guide for Systems Serving fewer than 10,000 people and an IDSE Wizard that helps systems determine their IDSE requirements and compliance options. These materials, when finalized, as well as other guidance manuals and the full text of the Stage 2 DBPR can be found at [www.epa.gov/safewater/disinfection/stage2/compliance.html](http://www.epa.gov/safewater/disinfection/stage2/compliance.html).

## Long Term 2 Enhanced Surface Water Treatment Rule

EPA finalized the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) on December 15, 2005. The purpose of the LT2ESWTR is to improve upon the microbial protections provided by the Interim Enhanced Surface Water

Treatment Rule and Long Term 1 Enhanced Surface Water Treatment Rule, specifically for systems with elevated vulnerability to the pathogen *Cryptosporidium*. Under LT2ESWTR, large systems will monitor for *Cryptosporidium* in their source water for two years. Systems whose source water has *Cryptosporidium* concentrations that exceed specified levels are required to provide additional treatment for this pathogen. Systems will choose technologies to comply with additional treatment requirements from a "toolbox" of options. Small systems have the same treatment requirements as large systems, but have a reduced monitoring burden. Small systems are allowed to monitor for an indicator organism, *E.coli*, and only systems whose indicator concentrations exceed specified levels are required to monitor for *Cryptosporidium*. The compliance schedule for small systems is later than that for large systems to accommodate the indicator monitoring and allow small systems more time to plan and budget for the monitoring. EPA has prepared guidance and training materials to help systems comply with the requirements of the LT2ESWTR, including a Source Water Monitoring Guidance Manual for Public Water Systems and an On-Line Sample Collection Training Module. The guidance manual, the on-line sampling module, the full text of the final rule and other guidance materials may be found at [www.epa.gov/safewater/disinfection/lt2/compliance.html](http://www.epa.gov/safewater/disinfection/lt2/compliance.html).

## **Arsenic**

The 1996 amendments to the Safe Drinking Water Act required EPA to revise the Arsenic drinking water standard. EPA published the revised standard on January 22, 2001 (66 FR 6975). The final rule lowers the maximum contaminant level (MCL) from 50 ppb to 10 ppb and applies to all community water systems and non-transient non-community water systems. Systems must be in compliance with the new rule by January 23, 2006.

EPA recently released a set of user-friendly multimedia products to help small drinking-water utilities come into compliance. The anchor product of this suite of tools is the Arsenic Virtual Trade Show, a learning portal for arsenic-treatment technology. The website features a database of vendors, a treatment "decision tree," and tips for evaluating and selecting treatment providers. Other products being released include: ? A brochure, *Evaluating Arsenic Treatment Providers: A Guide for Public Water Systems*, which includes a checklist of questions that owners and operators of small utilities should ask treatment providers.

A CD-ROM disk, *Interactive Workshop on Arsenic Removal from Drinking Water*, which features commentary from the nation's top experts. The disk is a companion to 11 arsenic-training events EPA held across the country during 2005. ? A DVD collection of videos, the *Arsenic Treatment Technology Showcase*, which highlights arsenic treatment technologies currently being pilot-tested through EPA's Arsenic Treatment Technology Demonstration Program. EPA has also updated its website to improve navigation and reflect the latest consumer and technical information.

In addition, EPA has completed a small community compliance guide called *Complying With the Revised Drinking Water Standard for Arsenic: Small Entity Compliance Guide (One of the Simple Tools for Effective Performance (STEP) Guide Series)* and an *Arsenic Treatment Technology Evaluation Handbook for Small Systems*. All of these documents, as well as other Arsenic

related resources, are available on the EPA website at <http://www.epa.gov/safewater/arsenic>. The Agency has held training sessions throughout the U.S. for state and Regional personnel, drinking water providers, technical assistance providers, and consultants.

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

This self-help workbook is designed to help small drinking water systems understand and achieve compliance with the revised Arsenic Rule. The workbook provides information for small drinking water systems to help in their selection of appropriate arsenic compliance options. Worksheets are also provided along with step-by-step instructions on how to complete them and interpret monitoring results. Additional blank worksheets can be requested separately. This product is currently available from the Office of Water Resources Center, or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference EPA Document Number EPA 816-R-02-008A for the workbook and EPA Document Number EPA 816-R-02-008B for additional blank worksheets. Copies of this document are also available at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

## **Arsenic Treatment Technology Evaluation Handbook for Small Systems**

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

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

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



## **Total Coliform Rule (TCR): A Handbook for Small Noncommunity Water Systems serving less than 3,300 persons**

EPA is releasing, mid-calendar year, the "Total Coliform Rule: A Handbook for Small Non-community Water Systems Serving Less Than 3,300 Persons." The document will assist state drinking water personnel, drinking water system owners and operators, and technical assistance providers in better understanding the Total Coliform Rule provisions of the Safe Drinking Water Act (SDWA). EPA's goal for this document is to help these small systems better understand the basic requirements associated with the Total Coliform Rule by providing helpful guidance in formulating a monitoring plan, understanding the public notification rule, and sampling requirements and instructions. This guide will be most useful for small publicly or privately owned non-community systems whose primary business does not normally include the provision of drinking water. Copies of this handbook can be obtained from the Office of Water Resources Center or by calling the Safe Drinking Water Hotline at 1-800-426-4791. Please reference Document Number EPA 816-B-06-001 when requesting copies. Copies of this document can also be accessed on the EPA website at <http://www.epa.gov/safewater/smallsys/ssinfo.htm>.

## **Drinking Water System Security Workbook for Systems Serving Populations of 3,300 People or Fewer Persons - One of the Simple Tools for Effective Performance (Step) Guide Series**

Owners and operators of very small community water systems now have a new guide to help them in improving drinking water system security through vulnerability assessments and emergency response plans. EPA developed the guide to promote an increase in the level of security and emergency preparedness among community water systems serving 3,300 (or fewer) persons. These types of community water systems typically include small town systems, rural water districts, tribal systems, manufactured home communities, homeowners associations, small private systems, and Public Service Districts. This straightforward, easy-to-read workbook can also be used as training material for basic courses on drinking water security. The Safe Drinking Water Hotline (telephone number 1-800-426-4791) will be available to take and forward requests for the document. Reference document number EPA 817-R-05-001 when requesting copies. A PDF version of the guide is posted on EPA's Water Security website at <http://cfpub.epa.gov/safewater/watersecurity/smallsystems.cfm>.

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

Under an agreement with the Environmental Protection Agency, the National Rural Water Association is implementing a project to assist small community water systems serving populations between 3,300 and 10,000 people in conducting vulnerability assessments. These drinking water systems are required to submit vulnerability assessments to EPA under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Act). Through a combination of training sessions, on-site technical assistance, and internet based tools, the National Rural Water Association is providing the necessary assistance that will educate

system personnel about the Act and provide assistance in preparing vulnerability assessments and emergency response plans. There are approximately 4,400 community water systems serving between 3,300 and 10,000 people in the 48 contiguous states and the state of Alaska that must comply with the Act's requirements. For more information on EPA's water infrastructure security efforts visit <http://cfpub.epa.gov/safewater/watersecurity/index.cfm>

## **EPA Funds Small Wastewater Security Guide**

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

## **Top Ten List for Small Ground Water Suppliers**

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

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

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

## **New, Simplified Handbook for Drinking Water Security Systems and First Responders**

A Water Security Handbook: Planning for and Responding to Drinking Water Contamination Threats and Incidents will help drinking water systems understand the basics of planning for and responding to threatened or actual incidents. This simplified version of the Response Protocol Toolbox: Planning for and Responding to Drinking Water Contamination Threats and Incidents covers the overall concepts and principals in less detail

than the full version. The document contains information targeted primarily at drinking water utility personnel, small systems, and managers as well as secondarily health officials, laboratories, fire, police, emergency medical services, and local, state, and federal officials. Information on the Handbook can be found at <http://www.epa.gov/safewater/watersecurity/>

## **Water Security Response Guidelines**

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

## **Small and Medium Water System Emergency Response Plan Guidance**

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

## **New Water Security Database to Protect Drinking Water and Wastewater Systems**

EPA has the federal lead in helping to protect the nation's drinking water and wastewater systems from acts of accidental or intentional harm. Towards this effort, EPA is launching a new water security database called the Water Contaminant Information Tool, or WCIT. WCIT is an on-line, password-protected database that provides current, reliable information on contaminants that could pose a significant threat to public health if accidentally or intentionally introduced into drinking water or wastewater. Access to this password-protected database will be granted to

water utility personnel, State Primacy (primary enforcement) Agencies, and federal officials (including government laboratory personnel). EPA is granting access to these individuals because they represent the primary organizations that will be involved in water contamination planning and response. You can contact Ashley Smith of EPA at 202-564-0917 to learn more about the WCIT database.

## **RESOURCE CONSERVATION & RECOVERY ACT (RCRA)**

### **Hazardous Waste Generator Program Evaluation**

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

### **Revised Standards for Hazardous Waste Combustion Facilities**

On September 14, 2005, EPA's Administrator signed a final rule establishing national emission standards for hazardous air pollutants (HAPs) from hazardous waste combustors. The rule appeared in the Federal Register on October 12, 2005 (70 FR 59402). The combustors affected by this rule detoxify or recover energy from hazardous waste, and include incinerators, cement kilns, lightweight aggregate kilns, boilers and process heaters, and hydrochloric acid production furnaces. The final rule will implement section 112(d) of the Clean Air Act by requiring hazardous waste combustors to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT). The HAP emitted by HWCs include arsenic, beryllium, cadmium, chromium, dioxins and furans, hydrogen chloride and chlorine gas, lead, manganese, and mercury. Exposure to these substances has been demonstrated to cause adverse health effects such as irritation to the lung, skin, and mucus membranes, effects on the central nervous system, kidney damage, and cancer.

This action also presents EPA's decision regarding the February 28, 2002 petition for rulemaking submitted by the Cement Kiln Recycling Coalition, relating to EPA's implementation of the so-called omnibus permitting authority under section 3005(c) of the Resource Conservation and Recovery Act (RCRA). That section requires that each permit issued under RCRA contain such terms and conditions as permit writers determine to be necessary to protect human health and the environment. In that petition, the Cement Kiln Recycling Coalition requested that we repeal the existing site-specific risk assessment policy and technical guidance for hazardous waste combustors and that we promulgate the policy and guidance as rules in accordance with the Administrative Procedure Act if we continue to believe that site-specific risk assessments may be necessary. For further information visit [www.epa.gov/hwcmact/](http://www.epa.gov/hwcmact/). **Rhonda Minnick**

## RCRA Definition of Solid Waste Proposed Rule

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

## RCRA Burden Reduction Initiative

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

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

The RCRA Burden Reduction Initiative proposal as well as two other supporting Federal Register notices can be found at [www.epa.gov/epaoswer/hazwaste/data/burdenreduction](http://www.epa.gov/epaoswer/hazwaste/data/burdenreduction) **Contact Robert Burchard at 703-308-8450**

## Dyes and Pigments

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

<http://www.epa.gov/epaoswer/hazwaste/id/dyes/index.htm>.

**Contact Robert Kayser at 703-308-7304**

## Solvent-contaminated Shop Towels And Wipes

On November 20, 2003, EPA's Office of Solid Waste (OSW) published a proposed rule that, if made final, will change the regulations for solvent-contaminated towels, wipes, and rags. Currently, a disposed wipe or rag may be regulated as a hazardous waste if that wipe or rag comes in contact with a solvent that, when spent, is a hazardous waste. Under most state programs, reusable towels (laundered or dry cleaned) are already conditionally excluded from the definition of hazardous waste or definition of solid waste.

OSW's proposed rule is meant to both clarify and streamline requirements for disposed and reusable solvent-contaminated wipes. For a generator to be eligible for the proposed exclusions, it would be required to meet certain conditions. The Agency took comment on record-keeping and reporting requirements, manifesting, accumulating wipes in covered containers, not transporting wipes with free liquids, transporting containers off site in non-leaking containers and a risk screening analysis. The Agency is currently evaluating comments and revising the risk assessment.

The proposed rule can be found in the Federal Register at 68 FR 65586. The background documents supporting the rule and the comments received can be found on EPA's Docket website, at [Regulations.gov](http://Regulations.gov) under docket number RCRA-2003-0004. For further information Contact **Teena Wooten at 703-308-8751**

## Standardized Permit For RCRA Hazardous Waste Management Facilities

The final rule, published in the Federal Register on September 8, 2005, allows a type of general permit, called a standardized permit, for facilities that generate waste on-site, and then manage that waste on-site in tanks, containers, and containment buildings. Also eligible, are facilities managing wastes generated off-site by companies under the same ownership as the receiving facility. Under the standardized permit, facility owners and operators certify compliance with generic design and operating conditions set on a national basis. The permitting agency then reviews the certifications submitted by the facility owners or operators. The permitting agency may also impose additional site-specific terms and conditions for corrective action or other purposes, as called for by RCRA. Ensuring compliance with the standardized permit's terms and conditions would occur during inspection of the facility after the permit has been issued.

Hazardous Waste Management System; Standardized Permit for RCRA

Hazardous Waste Management Facilities (70 FR 53420; September 8, 2005) (Volume 70, Number 173)]

**Contact: Jeff Gaines at 703-308 8655**

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

This final rule will revise the existing federal regulations to encourage reuse, recycling, and better management of cathode ray tubes (CRTs). A CRT is the main component of a television or computer monitor. A CRT is made largely of specialized glasses, many of which contain lead to protect the user from X-rays inside the CRT. Due to the lead, many CRTs could be hazardous wastes under the Federal Resource Conservation and Recovery Act (RCRA) regulations when they are disposed of or recycled under certain circumstances. Recycling can include using used CRT glass to make new CRTs, reclamation at lead smelters, or other

uses. The forthcoming rule will exclude CRTs from RCRA regulation if they are recycled under certain conditions.

This action is taken in response to a June 9, 1998 recommendation on CRT recycling from the Common Sense Initiative (CSI) Council to The Environmental Protection Agency (EPA). The recommendation urged minimizing RCRA requirements for CRT recycling while retaining appropriate controls to ensure protection of human health and the environment. The goal of the recommendation is to facilitate an increase in recycling, thereby minimizing disposal of lead, increasing resource recovery, and enhancing protection of human health and the environment.

A Notice of Proposed Rulemaking (NPRM) was published in June 2002. A draft final rule is undergoing inter-Agency review.  
**Contact Marilyn Goode at 703-308-8771**

## **Uniform Hazardous Waste Manifest Update**

The manifest final rule was published in the Federal Register (FR) on March 4, 2005 (70 FR 10776). The final rule announced manifest system reforms to the manifest form itself and procedures for using the form. Specifically, revisions announced in the final rule standardized the content and appearance of the manifest form (EPA Form 8700-22) and the continuation sheet (EPA Form 8700-22A), made these forms available from a greater number of sources, adopted new procedures for tracking certain types of waste shipments with the manifest, and established the EPA Manifest Registry.

Through the Manifest Registry, EPA is overseeing the process of approving interested parties to print and distribute the new form. EPA has developed a web site for the Manifest Registry to assist in the transition from using the current form to using the revised manifest. The web site went 'live' on October 24, 2005, and provides assistance to organizations in applying to the Registry to become registered printers, provides information to waste handlers in completing the new manifest, and provides assistance to the public in obtaining the new manifests. For further information about the Manifest Registry, please contact Wanda LeBleu at 703-308-0438.

However, manifest users cannot use the new forms and follow the new manifest requirements established in the March 2005 final rule until September 5, 2006. In the meantime, the existing manifest forms and requirements will continue to be implemented. The manifest form revisions aim to reduce the manifest system's paperwork burden on users, while enhancing the effectiveness of the manifest as a tool to track hazardous waste shipments that are shipped from the site of generation to treatment, storage, or disposal facilities (TSDFs). For further information about the manifest form revisions, please contact **Bryan Groce** at 703-308-8750.

Although EPA proposed an electronic hazardous waste manifest (e-manifest) system in the May 2001 proposed rule, the Agency did not announce standards for an e-manifest system in the March 2005 final rule. Comments on the e-manifest component of the May 2001 proposal suggested the Agency consider alternative system architectures to the proposed decentralized approach, which is based on the assumption that

EPA's role would be limited to developing e-manifest standards, while private entities (e.g., waste firms or IT vendors) would develop the systems. The Agency has been conducting additional analyses on several key issues related to the e-manifest rule. On May 19-20, 2004, EPA's Office of Solid Waste (OSW) conducted a two-day public meeting with stakeholders on the future direction of the e-manifest. The meeting included plenary and breakout sessions addressing the policy, information technology, and funding issues associated with the e-manifest. The meeting was well attended by hazardous waste generators, waste management firms, IT vendors and consultants, and representatives from several state environmental agencies. In particular, the Agency learned that there is strong support from stakeholders for EPA to develop and implement a consistent, national e-manifest system. As part of the national e-manifest system, EPA would have a new role in collecting e-manifests. As a result of this meeting, OSW hopes to publish a final rule that will authorize a national e-manifest system during the first quarter of the 2007 calendar year. For further information about the e-manifest system, please **Contact Rich LaShier at 703-308-8796.**

## **Above-ground Storage Tanks (AST)/SPILL Prevention Control and Counter-measures Update**

The EPA has promulgated the Oil Pollution Prevention rules under Title 40 CFR Part 112 included in Item C-77 requiring that facilities prevent oil spills and ensure preparedness in the event of spills. This rulemaking is commonly known as the Spill Prevention Control and Countermeasure (SPCC) regulation. The rulemaking deals with spill prevention. The SPCC program concerns regulation of non- transportation related facilities with above-ground storage capacity in excess of 1,320 gallons or completely buried tanks of greater than 42,000 gallons capacity. Proposed Rules were published (FR 10/22/91, pages 54611-41), and (FR 2/17/93, pages 8841-4 and pages 8846-8) which are included in Item C-77. A Proposed rule was published (FR 12/2/97, pages 63812-20), which is included in Item C-77. A Final Rule was published, on July 17, 2002, which, among other provisions, amends some of the capacity requirements. However, following concerns expressed by several trade associations reflecting impacts foreseen by their facility members, EPA has published on April 17, 2003 a final rule extending the compliance dates in the SPCC rule by 18 months.

The rule, 40 CFR Part 112, also concerns facility preparedness and development of response plans under the Oil Pollution Act (the Act of 1990) which requires that EPA issue regulations to require "Facility Response Plans" (FRP) covering events which could cause substantial harm to the environment. Also, included in publication Item C-77 is the National Response Team's Integrated Contingency Plan Guidance, Notice 6/5/96 FR pp. 28641-64, with corrections, 6/19/96 FR pp. 31163-4, which provides additional guidance on emergency plan preparation. An amendment to the Facility Response Plan requirements has been published as a Final Rule (FR 6/30/00 pp. 40775-817) with corrections (FR 7/14/00 p. 43840, and FR 6/29/01 pp. 34559-61) all of which are included in Item C-77.

EPA published another rule extending the compliance dates on August 11, 2004 (69 FR 48794). On December 5, 2005 (70 FR 73524) EPA proposed a rule to reduce the regulatory requirements for certain facilities, to have a separate compliance extension date for farms, and to remove certain SPCC requirements concerning animal fats and vegetable oils. On

February 17, 2006 (71 FR 8462) EPA again extended the compliance dates until October 31, 2007. EPA **Contact Hugo Fleischman at 202-564-1968**

## **BROWNFIELDS SMALL BUSINESS LIABILITY RELIEF AND BROWNFIELDS REVITALIZATION ACT**

### **EPA Published Final Rule on All Appropriate Inquiries**

On November 1, 2005, EPA published a final rule setting federal standards and practices for the conduct of "all appropriate inquiries." EPA is required to promulgate federal regulations for the conduct of all appropriate inquiries under the Small Business Liability Relief and Brownfields Revitalization Act (the Brownfields Amendments). The Brownfields Amendments amended the CERCLA liability provisions governing the innocent landowner defense and added to CERCLA certain liability protections for bona fide prospective purchasers and contiguous property owners. As a condition for obtaining liability protection, innocent landowners, bona fide prospective purchasers and contiguous property owners are required to conduct all appropriate inquiries to determine past ownership and uses of a property, and assess the environmental conditions of the property, prior to the purchase date of the property.

The final regulation goes into effect on November 1, 2006. Parties purchasing properties on or after November 1, 2006 and who want to avail themselves of the liability protections provided under CERCLA must undertake all appropriate inquiries prior to the date on which they take title to a property. Specifically, all appropriate inquiries must be conducted within one year prior to the purchase date of a property and certain information must be collected or updated within six months prior to the purchase date. Interviews with current and past owners and occupants, a review of government records, a search for recorded environmental cleanup liens, and a visual inspection of the property and adjoining property must be conducted within 180 days of the date on which a prospective purchaser takes title to a property.

Prior to the November 1, 2006 effective date of the final rule, parties can continue to use the interim standard for all appropriate inquiries established by Congress in the Brownfields Amendments, which is the ASTM E1527-97 or ASTM E1527-00 Phase I Environmental Site Assessment Standard. The interim standard may only be used in cases where a prospective purchaser takes title to a property prior to November 1, 2006.

The final rule recognizes the recently revised ASTM E1527-05 Phase I Environmental Site Assessment Standard as compliant with the requirements of the final rule. After the effective date of the final rule (November 1, 2006) parties will be in compliance with the standards and practices set forth in the final rule if they comply with the provisions of the ASTM E1527-05 standard. The ASTM E1527-05 standard is available at [www.astm.org](http://www.astm.org). The All Appropriate Inquiries Final Rule is available at [www.epa.gov/brownfields](http://www.epa.gov/brownfields).

**Contact Patricia Overmeyer of EPA's Office of Brownfields  
Cleanup and Redevelopment at 202- 566-2774.**

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

Major requirements of this Act include emergency planning for designated hazardous substances (Extremely Hazardous

Substances, or "EHS") above threshold reporting quantities; reporting releases of EHS and hazardous substances above reportable quantities; submission of Material Safety Data Sheets (MSDS) to planning groups; and submission of annual reports on March 1 covering inventories of hazardous substances, which for any time in the reporting year exceed the stated reporting thresholds. These requirements are explained in the "Community Right-to- Know and Small Business" pamphlet, Item K-32.

### **Tier2 Submit 2005 Software Available**

The Office of Emergency Management (OEM) is pleased to announce the release of Tier2 Submit 2005 software, now available for download from the EPA web site. The software, in its fourth year, is now available at <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/tier2.htm>.

At our site, you will also find background information on EPCRA Tier II requirements, links to State Tier II information and frequently asked questions about Tier2 Submit.

Tier2 Submit is fully compatible with CAMEOfm, the emergency planning and response suite.

If you have any technical issues with Tier2 Submit or CAMEOfm please don't hesitate to contact the RMP Reporting Center at: (301) 429-5018 (8am-4:30pm M-F) or via e-mail at: [userrmp.usersupport@csc.com](mailto:userrmp.usersupport@csc.com).

**Direct Final Rule and Proposed Rule: Trade Secrecy Claims for Emergency Planning and Community Right-to-Know Information; and Trade Secret Disclosures to Health Professionals; Amendment**

On November 14, 2003, the trade secret regulations under the Emergency Planning and Community Right-to-Know Act (EPCRA) were amended to remove an incorrect mailing address and an outdated substantiation form for trade secrecy claims.

This amendment is effective on January 13, 2004, unless EPA receives adverse comments by December 15, 2003. The direct final amendment can be viewed in the November 14, 2003 Federal Register (68 FR 64719), or at the EPA website at: <http://www.epa.gov/fedrgstr/EPA-TRI/2003/November/Day-14/tri28419.htm>. **Contact Peter Gattuso at 202-564-7993.**

### **Toxics Release Inventory (TRI)**

The EPCRA Section 313 Program is also referred to as the Toxics Release Inventory or TRI. Under Section 313, facilities are required to report releases and other waste management of specifically listed chemicals and chemical categories. Facilities that meet all three of the following criteria are subject to EPCRA Section 313 release and other waste management reporting: (1) have 10 or more full-time employees or the equivalent (20,000 hours); (2) are in a covered SIC Code (including SIC codes 10 (except 1011, 1081, and 1094), 12(except 1241), 20-39, 4911, 4931, 4939 (4911, 4931, 4939 limited to facilities that combust coal and/or oil for the purpose of generating electricity for distribution in commerce), 4953 (limited to facilities regulated under RCRA Subtitle C, 42 U.S.C. section 6921 et seq.), 5169, 5171, and 7389 (limited to facilities primarily engaged in solvent recovery services on a contract or fee basis)), or the facility is a federal facility; and (3) exceed any one activity threshold such as manufacturing (including importing), processing, or otherwise using a toxic chemical listed in 40 CFR Section 372.65. See also the Final Rule, 5/1/97 FR pp. 23833-92, included in Item K-29.

If a facility meets the employee threshold and is in a covered SIC code, but its annual reportable amount of the toxic chemical does not exceed 500 pounds and the facility has not manufactured, processed, or otherwise used more than one million pounds of the toxic chemical, the facility may submit the Form A Certification Statement instead of the Form R. However, if the facility exceeds

either the 500 or one million pound limits, it must report on the Form R.

Facility Expansion-On May 1, 1997, EPA published a final rule (5/1/97 FR pp. 23833-92) to add certain industry sectors to the current list of facilities required to report to TRI. These new industries began reporting their releases and other waste management information for activities conducted in 1998 in reports due July 1, 1999. The seven new industry groups are: metal mining, coal mining, electric utilities, commercial hazardous waste treatment, chemicals and allied products (wholesale), petroleum bulk terminals and plants, and solvent recovery services. This rule is included in Item K-29.

Persistent Bioaccumulative Toxic (PBT) Chemicals -On October 29, 1999 (64 FR 58666) EPA published a final rule which lowers the EPCRA section 313 reporting thresholds for certain persistent bioaccumulative toxic (PBT) chemicals and adds certain other PBT chemicals to the EPCRA section 313 list of toxic chemicals. The rule also includes modifications to certain reporting exemptions and requirements for the chemicals newly subject to the lower reporting thresholds. These PBT chemicals are of particular concern not only because they are toxic but also because they remain in the environment for long periods of time, are not readily destroyed, and build up or accumulate in body tissue. The new rule was effective January 1, 2000. Therefore, the new requirements began to apply for TRI reports on releases and other waste management for the year 2000 which had to be submitted to the Agency by July 1, 2001. The list of PBT chemicals affected by the new rule include: Aldrin; Benzo(g,h,i)perylene\*; Chlordane; Dioxin and dioxin-like compounds category\*; Heptachlor; Hexachlorobenzene; Isodrin; Methoxychlor; Octachlorostyrene\*; Pendimethalin; Pentachlorobenzene\*; Polycyclic aromatic compounds category; Polychlorinated biphenyl (PCBs); Tetrabromobisphenol A\*; Toxaphene; Trifluralin; Mercury; and Mercury compounds (PBT chemicals newly added to the EPCRA section 313 list of toxic chemicals are indicated by an asterisk). This rule is also included in Item K-29.

## **Toxics Release Inventory (TRI) Public Data Release**

EPA released the 2004 TRI Data on April 12, 2006. TRI Public Data Release (PDR) documents and data access are available via the web at: <http://www.epa.gov/tri/tridata/tri03/index.htm>. Available for the 2004 Data Release are a brochure of overview information and an eReport which includes a summary of key findings and various tables and charts. The PDR eReport serves as a supplement to EPA's on-line tool, TRI Explorer, where users of TRI data can retrieve electronic 2004 state fact sheets that provide a snapshot of each state's releases and other waste management activities and a description of the information included in the state fact sheet. TRI Explorer can be accessed at: (<http://www.epa.gov/triexplorer>).

EPA released the 2003 TRI data on May 11, 2005. EPA also released one electronic publication summarizing the 2003 data: the 2003 TRI Public Data Release (PDR) Report (EPA-260-R-04-003). This report provides an overview of the 2003 TRI reporting year data and other information relating to TRI data. Prior year's data releases, from 1999 to 2003, are also available via the TRI website at: <http://www.epa.gov/tri/tridata/index.htm#pdr>.

Copies of Public Data Release documents may be obtained by calling (202) 564-9554 or by emailing [TRIDOCS@epa.gov](mailto:TRIDOCS@epa.gov). More information is also available via the TRI website at

[www.epa.gov/tri](http://www.epa.gov/tri). **For Further Information contact: Eileen Mayer at: 202-566-0734**

## **TOXIC SUBSTANCE CONTROL ACT (TSCA)**

### **Lead: Notification Requirements for Lead-Based Paint Abatement Activities and Training Final Rule**

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

### **Lead: Management and Disposal of Lead-based Paint Debris**

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

## **GENERAL**

### **Environmental Technology Verification Program**

The Environmental Technology Verification Program (ETV) was started by the U.S. Environmental Protection Agency (EPA) in October 1995 to address the need for credible environmental technology performance data about commercial-ready technology to help businesses and communities better utilize the available environmental technology choices. ETV operates through public/private testing partnerships to verify the performance of commercial-ready private sector environmental technologies in all media, air, water, soil, eco-systems, waste, pollution prevention, and monitoring. In 2003, ETV also began verifying homeland security technologies for monitoring and treating chemical and biological agents, although new starts in this area are being verified in a related EPA program. By May, 2006, 351 private sector environmental and homeland security technologies had been verified. ETV has recently documented program impacts through case studies of eight technology categories that have been recently verified. The Outcomes Case Studies can be found at the ETV Web site at [www.epa.gov/etv](http://www.epa.gov/etv), as well as other information about the program and its verifications. The ETV program also has a listserv, ETVoice, which sends a brief monthly message highlighting new and updated information on the web site to anyone interested in the ETV program. You may subscribe to ETVoice through the web site. The ETV Program Director is Teresa Harten, who may be reached at [harten.teresa@epa.gov](mailto:harten.teresa@epa.gov), or at 513-569-7565. The ETV Program Director is **Teresa Harten**, who may be reached at [harten.teresa@epa.gov](mailto:harten.teresa@epa.gov), or at 513-569-7565.

**ENERGY STAR** Small Business Network provides free energy saving information, case studies and tools at its Web site geared especially for small businesses at <http://www.energystar.gov/smallbiz/>. In January 2006, an updated version of the ENERGY STAR Guide for Small Business, *Putting Energy into Profits* will be online with new, expanded information and links. In February, a guide especially for auto dealers will be launched jointly by ENERGY STAR and the National Auto Dealers Association. Other specialized information is online for small business owner/operators in grocery/convenience stores, lodging, offices, restaurants, retail, home-based, and renters/tenants.



**The ENERGY STAR** label helps businesses to easily choose equipment that will use less energy, while delivering the same quality and performance. In addition to the online guide, ENERGY STAR provides a free monthly e-update e-mail with energy efficiency news and links to valuable information. Small business owners who have used the Web site and free help line have cut utility bills by 25% and more, and dozens have been recognized in the annual ENERGY STAR award program. For further information, visit the Web site or call toll-free 1-888 STAR YES.

For further information contact: **Jerry Lawson, 202/343-9314, [Lawson.jerry@epa.gov](mailto:Lawson.jerry@epa.gov)**

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

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

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

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

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

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

At this time, these materials are only available electronically. We have a limited number of CDs available contact **Clive Davies** at [davie.clive@epa.gov](mailto:davie.clive@epa.gov).

## What is a small business?

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

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

### Small firms

- Represent 99.7 percent of all employer firms.
- Employ half of all private sector employees.
- Pay 45 percent of total U.S. private payroll.
- Have generated 60 to 80 percent of net new jobs annually over the last decade.
- Create more than 50 percent of nonfarm private gross domestic product (GDP).
- Supplied more than 23 percent of the total value of federal prime contracts in FY 2004.
- Produce 13 to 14 times more patents per employee than large patenting firms. These patents are twice as likely as large firm patents to be among the one percent most cited.
- Are employers of 41 percent of high tech workers (such as scientists, engineers, and computer workers).
- Are 53 percent home-based and 3 percent franchises.
- Made up 97 percent of all identified exporters and produced 26 percent of the known export value in FY 2002.

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

## How many small businesses are there?

In 2004, there were approximately 24.7 million businesses in the United States, according to Office of Advocacy estimates. The Internal Revenue Service (IRS) estimates there were 29.3 million nonfarm business tax returns in 2004; however, this number may overestimate the number of firms, as one business can operate more than one taxable entity.

Census data show there were 5.7 million firms with employees and 17.6 million without employees in 2002 (and 18.6 million without employees in 2003). Applying the sole proprietorship growth rates to the nonemployer figures and similar Department of Labor growth rates to the employer figures produces the 24.7 million figure. Small firms with fewer than 500 employees represent 99.9 percent of the 24.7 million businesses, as the most recent data show there are 17,000 large businesses.

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

Updated October 2005

## How do regulations affect small firms?

Very small firms with fewer than 20 employees spend 45 percent more per employee than larger firms to comply with federal regulations. These very small firms spend 4½ times as much per employee to comply with environmental regulations and 67 percent more per employee on tax compliance than their larger counterparts. For data broken down by industry, see [www.sba.gov/advo/research/rs264tot.pdf](http://www.sba.gov/advo/research/rs264tot.pdf).

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

Type of Regulation	Cost per Employee for Firms with:	
	<20 Employees	500+ Employees
All Federal Regulation	\$7,647	\$5,282
Environmental	3,296	710
Economic	2,127	2,952
Workplace	920	841
Tax Compliance	1,304	780

Source: *The Impact of Federal Regulations on Small Firms*, an Advocacy-funded study by W. Mark Crain, September 2005 (Research Summary #264).

## How many businesses open and close each year?

Estimates for businesses with employees indicate there were 580,900 new firms and 576,200 closures (both about 10 percent of the total) in 2004.

### Starts and Closures of Employer Firms, 2000-2004

Category	2000	2001	2002	2003	2004
New Firms	574,300	585,140	569,750	553,500e	580,900e
Firm Closures	542,831	553,291	586,890	572,300e	576,200e
Bankruptcies	35,472	40,099	38,540	35,037	34,317

e = Estimate. For more information, see "Business Estimates from the Office of Advocacy: A Discussion of Methodology," a working paper by Brian Headd, June 2005 (Research Summary #258).

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

## How many new jobs do small firms create?

Over the past decade, small business net job creation fluctuated between 60 and 80 percent. For a more complete look at employment dynamics by firm size from 1989 to 2002, see [www.sba.gov/advo/research/data.html#us](http://www.sba.gov/advo/research/data.html#us).

Source: U.S. Bureau of the Census.

## What is small firms' share of employment?

The small business share of employment remains around 50 percent. Although small firms generally create 60 to 80 percent of the net new jobs, some firms will become large firms as the new jobs are created. Of 112.4 million nonfarm private sector



workers in 2002, small firms with fewer than 500 workers employed 56.4 million and large firms, 56.0 million. Smaller firms with fewer than 100 employees employed 40.5 million.

Source: U.S. Bureau of the Census.

## What is the survival rate for new firms?

**Two-thirds of new employer establishments survive at least two years, and 44 percent survive at least four years, according to a new study.** These results were similar for different industries. Firms that began in the second quarter of 1998 were tracked for the next 16 quarters to determine their survival rate. Despite conventional wisdom that restaurants fail much more frequently than firms in other industries, leisure and hospitality establishments, which would include restaurants, survived at rates only slightly below the average.

Earlier research has explored the reasons for a new business's survivability. Major factors in a firm's remaining open include an ample supply of capital, the fact that a firm is large enough to have employees, the owner's education level, and the owner's reason for starting the firm in the first place, such as freedom for family life or wanting to be one's own boss.

Sources: "Survival and Longevity in the Business Employment Dynamics Database" by Amy E. Knaup, *Monthly Labor Review*, Volume 128, Number 5 (May 2005), pp. 50-6; "Redefining Business Success: Distinguishing Between Closure and Failure" by Brian Headd, *Small Business Economics*, Volume 21, Number 1 (August 2003), pp. 51-61.

## How are small businesses financed?

**Commercial banks are the most important suppliers of debt capital to small firms, supplying more than 80 percent of lending in the credit line market and more than 50 percent in other markets, such as commercial mortgages and vehicle, equipment, and other loans.** In June 2004, small business loans outstanding owed to commercial banks amounted to \$522 billion, but small firms are not just receiving loans from smaller, relationship-driven banks. Very large banks with assets of at least \$10 billion are making a significant percentage of small loans of less than \$100,000.

### Shares of the Number and Amount of Small Business Loans by Banks and BHCs by Asset Size, June 2004

	Bank/BHC Asset Size (\$)			All Banks & BHCs
	<500M	500M-10B	<10B	
Number of Banks/BHCs	5,706	645	72	6,423
SBLs <\$100K				
Share of Amount	31.1%	19.2%	49.7%	\$125.3B
Share of Number	11.0%	21.5%	67.5%	13.6M
SBLs \$100K-<\$1M				
Share of Amount	26.8%	28.2%	45.0%	\$397.0B
Share of Number	27.2%	28.2%	44.6%	1.7M
SBLs <\$1M				
Share of Amount	27.8%	26.0%	46.2%	\$522.3B
Share of Number	12.8%	22.3%	65.0%	15.3M

Abbreviations: BHC, Bank Holding Company; SBL, Small Business Loan

Sources: Federal Reserve Board, Survey of Small Business Finances; special tabulations of the June call reports (Consolidated Reports of Condition and Income for U.S. Banks) prepared for the Office of Advocacy by James Kolari, Texas A&M University.

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

• Women owned 6.5 million businesses that generated \$950.6 billion in revenues, employed 7.2 million workers, and

had \$179.6 billion in payroll in 2002. In addition, another 2.7 million firms are owned equally by both women and men; these firms add another \$731.1 billion in revenues and employ another 5.7 million workers.

- Of the 23 million firms in 2002, 6.9 percent were owned by Hispanic Americans, 5.2 percent by African Americans, 4.8 percent by Asian Americans, 0.9 percent by American Indians and Alaskan Natives, and 0.14 percent by Native Hawaiian and other Pacific Islanders. In 2002, minorities owned 4.1 million firms that generated \$694.1 billion in revenues and employed 4.8 million workers.
- Male veterans' self-employment rates were higher than those of nonveterans from 1979 to 2003. The rate was 13.7 percent in 2003.
- According to a study on veteran business ownership, about 22 percent of veterans in the U.S. household population were either purchasing or starting a new business or considering purchasing or starting one, and almost 72 percent of these new veteran entrepreneurs planned to employ at least one person at the outset of their new venture.

Sources: Preliminary data from the 2002 Survey of Business Owners from the U.S. Census Bureau; Advocacy-funded research by Robert Fairlie (Research Summary #243); Advocacy-funded research by Waldman Associates (Research Summary #242).

## What research is there on the cost of health insurance?

According to a National Federation of Independent Business membership survey, the number one small business issue is the cost and availability of insurance. Aspects of insurance that may drive small business concern are premium increases and administrative costs. Advocacy research shows that insurers of small health plans have higher administrative expenses than those that insure larger group plans.

Sources: National Federation of Independent Business; Kaiser Family Foundation; Advocacy-funded research by Rose C. Chu and Gordon R. Trapnell (Research Summary #224)

## Whom do I contact about regulations?

To submit comments on proposed regulations, send email to [advocacy@sba.gov](mailto:advocacy@sba.gov) or visit Advocacy's regulatory alerts page at [www.sba.gov/advo/laws/law\\_regalerts.html](http://www.sba.gov/advo/laws/law_regalerts.html). To follow up on regulatory enforcement issues, email [ombudsman@sba.gov](mailto:ombudsman@sba.gov).

## How can I get more information?

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

- Office of Advocacy economic research can be found at [www.sba.gov/advo/research](http://www.sba.gov/advo/research). Specific points of interest include:
- Firm size data (static/dynamic for the U.S., states and metropolitan statistical areas): [www.sba.gov/advo/research/data.html](http://www.sba.gov/advo/research/data.html)
  - Small firm lending studies (1994-present): [www.sba.gov/advo/research/lending](http://www.sba.gov/advo/research/lending)
  - State economic profiles (1998-present): [www.sba.gov/advo/research/profiles](http://www.sba.gov/advo/research/profiles)
  - *The Small Business Advocate* monthly newsletter (1996-present): [www.sba.gov/advo/newsletter.html](http://www.sba.gov/advo/newsletter.html)
- Direct questions to (202) 205-6533 or [advocacy@sba.gov](mailto:advocacy@sba.gov).

**SBA REGIONAL SMALL BUSINESS REGULATORY FAIRNESS BOARDS**

**Regions/Members JULY 2006**

<p><b>Region 1</b> Leo R. Blais, Chair P.V. Prescription and Surgical Center, Inc. Executive Office 65 Sandy Bottom Road Coventry, RI 02816 Phone: 401-821-5721 Fax: 401-822-1656 E-Mail: lrbsbrefa@pvpsc.com</p>	<p>James M. Knott, Sr. Riverdale Mills Corporation 456 Hill Street Whitinsville, MA 01588</p>	<p>Laura L. Monica High Point Communications Group 553 Route 3A Bldg 3 Bow, OH 03304-3242</p>	<p>David A. Tibbetts Smith, Segel, &amp; Sowalsky 50 Congress Street Suite 300 Boston, MA 02109 (508) 234-7804</p>	<p>Kathryn M. Weare The Cliff House &amp; Spa Shore Rd PO Box 2274 Ogunquit, ME 03907 (207) 361-1000</p>
<p><b>Region 2.</b> Frank L. Misischia FLM Graphics Corporation 123 Lehigh Drive Fairfield, NJ 07004-3095 Phone: (973) 575-9471 Fax: (973) 575-0560 E-mail: FMisischia@flmgraphics.com</p>	<p>W. Timothy Howes (Chair) Howes &amp; Howes 26 Anderson Street Raritan, NJ 08869</p>	<p>Jose M. Garcias-Ramis Action Service Corporation PO Box 364866 San Juan, PR 00936 Phone: 787-759-3737 Fax: 787-759-3745 E-mail: garcia@actionservicepr.com</p>	<p>Gloria Bryant The Writing Company One Gateway Center, Suite 525 Newark, NJ 07102 Phone: (973) 824-4414 Fax: (973) 824-5393 gb.thewritingcompany@att.net</p>	
<p><b>Region 3.</b> Felix J. Jackson, Chair DataProbe Technical Service 9722 Groffs Mill Dr., Suite 110 Owings Mills, MD 21117 Phone: 443-831-3047 Fax: 410-580-9375 E-mail: fjprobe@dataprobertech.com</p>	<p>Christopher D. Lord Chris Lord &amp; Associates, LLC 701 Pennsylvania Ave, NW, Ste 250 Washington, DC 20004 Phone: (202) 393-6629 Fax: (202) 393-6551 E-mail: lordc@mgninc.com</p>	<p>Beverly Donati Whiteoak Turf Care 5290 Fisher Crest Lane Richmond, VA 23231 Phone: (804) 795-7822 Fax: (804) 795-2040 E-mail: bevdonati@aol.com</p>	<p>Frank E. Williams, Jr. Williams Enterprises of Georgia, Inc. P.O. Box 4004 2789 Hartland Road Merrifield, VA 22116 Phone: 703-641-4612 Fax: 703-641-9082 E-mail: fewjr2789@aol.com</p>	<p>Helen F. Corey Altene, LLC 1730 Walnut Green Road Wilmington, DE 19807 Phone: (302) 250-4716 Fax: (509) 351-2106 Email: hfcorey@mail.com</p>
<p><b>Region 4</b> Douglas McFarland (Chair) Radio Station 98.9 - Charleston 926 Trowman Lane Mt. Pleasant, SC 29464 (843) 767-8100</p>	<p>R. Bruce McCrory Kiker Corporation 3150 Lees Lane Mobile, AL 36693-5227 Phone: (251) 661-1971 Fax: (251) 661-1818 E-mail: <a href="mailto:bmccrory@kikercorp.com">bmccrory@kikercorp.com</a></p>	<p>Stanley L. King S. L. King and Associates 34 Peachtree Street, NW Suite 1000 Atlanta, GA 30303</p>	<p>Edwin A. Rodriguez Connectiv Solutions, LLC 3909 Reserve Drive #1223 Tallahassee, FL 32311 Phone: 850-219-5192 Fax: 888-783-9521 E-Mail:</p>	<p>Jane R. Dennis Specialty Contractors &amp; Associates, Inc. P.O. Box 7001 Gulfport, MS 39506-7001 Phone: (228) 832-9820 Fax: (228) 832-9851 E-mail: jdennis@specon.biz</p>
<p><b>Region 5.</b> Edward Aprahamian Lezk Corporation 4201 N. Oakland Avenue, 2nd Floor Shorewood, WI 53211 Phone: (414) 906-1505 Fax: (414) 906-9903 E-Mail: lezk@yahoo.com</p>	<p>Stephen L. Becher Home Owner's Resource Guide, Inc 350 Burnsville Parkway, Suite 400 Burnsville, MN 55337 Phone: (952) 808-5550 Fax: (952) 808-8153 E-mail: sbecher@homeownersrg.com</p>	<p>John J. Hiller Hiller Realty Inc. 10500 N. Port Washington # 203 Mequon, WI 53092 Phone: (262) 241-4455 Fax: (262) 241-4432 E-mail: johnhiller@hillerRealty.com</p>	<p>Khalid Karadsheh Mediterranean Island 4301 Kalamazoo Avenue Grand Rapids, MI 49508 Phone: (616) 281-8151 Fax: (616) 281-7678 E-mail: medisland@sbcglobal.net</p>	
<p><b>Region 6</b> Mary Ann Weems Weems Galleries and Framing 2801 Eubank Blvd., NE #M Albuquerque, NM 87112 Phone: (505) 293-6133 Fax: (505) 294-6494 E-mail: mweems14@comcast.net</p>	<p>Regina N. Hamilton Jones, Walker, Waechter, Poitevent, Carrere and Denegre, L.L.P. 8555 United Plaza Blvd., 5th Floor Baton Rouge, LA 70809 Phone: 225-248-2088 Fax: 225-248-3088 E-mail: rhamilton@joneswalker.com</p>	<p>Grant C. Humphreys Humphreys Capital Investments, LLC 249 NW 34th Street Oklahoma City, OK 73118 Phone: 405-228-1000 Fax: 405-228-1004 E-Mail: grant.humphreys@storeroom.net</p>	<p>Beth Sturgeon AusTex Development Group 2620 Martin Road Dripping Springs, TX 78620 Phone: (512) 350-6110 Fax: (512) 894-3496 E-mail: bethsturgeon@ausdexdev.com</p>	<p>James R. Graham Hunt Realty Corporation Fountain Place 1445 Ross at Field Dallas, TX 75202-2785 Phone: (214) 978-8585 Fax: (214) 855-6996 E-mail: jimgraham@mycingular.blackberry.net</p>
<p><b>Region 7.</b> Dr. Inez Y. Kaiser Inez Kaiser &amp; Associates, Inc. 9607 Reeder Overland Park, KS 66214 Phone: (913) 492-5546 Fax: (913) 492-8624 E-mail: inezkaiser@aol.com</p>	<p>Jeanette Prenger ECCO Select 3101 Broadway, Suite 460 Kansas City, MO 64111 Phone: 816-960-3800 Fax: 816-960-3804 E-mail: jprenger@eccoselect.com</p>	<p>Thomas F. Schlafly St. Louis Brewery, Inc. 720 Olive Street, Suite 2400 St. Louis, MO 63101 Phone: (314) 345-6406 Fax: (314) 345-6060 E-mail: Tschlafly@blackwellsanders.com</p>	<p>Brian E. Johnson Capitol Consultants 6824 Panorama Drive Panora, IA 50216-8713 Phone: (515) 975-5280 Fax: (641) 755-3433 E-mail: bejohnson@netins.net</p>	
<p><b>Region 8.</b> Salvador Gomez, Jr. Source One Management, Inc. 1225 Seventeenth St., Ste 1500 Denver, CO 80202 Phone: 303-832-8600 Fax: 303-832-1910 E-mail: sgomez@sourceone.com</p>	<p>Michael J. Stransky Gillies Stransky Brems Smith PC 375 West 200 South, Suite 100 Salt Lake City, Utah 84101 Phone: 801-521-8600 Fax: 801-521-7913 E-mail: mstransky@gsbs-pc.com</p>	<p>Brenda Mosher Interim Health Care of Wyoming 1010 East First Street, Suite A Casper, WY 82601 Phone: (307) 266-1152 Fax: (307) 577-8041 E-mail: bsmihc@aol.com</p>	<p>Larry A. Olson Timberline Resources, Inc. 2526 Grand Avenue Billings, MT 59102 Phone: 406-656-2244 Fax: 406-655-9497 E-mail: lolson7811@aol.com</p>	

<p><b>Region 9.</b>  Zainul Abedin, Ph.D.  Environmental Engineering, Inc.  715 N. Central Avenue, Suite 212  Glendale, CA 91203  Phone: (818) 547-1330  Fax: (818) 547-1331  E-Mail: eei@pacbell.net</p>	<p>Kimberly King  King Security Services, Inc.  323 Geary Street, Suite 611  San Francisco, CA 94102  P: (415) 433-5464 Ext. 12  F: (415) 433-5614  E-Mail: kking@kingsecurity.net</p>	<p>Stephen P. Cushman  Cush Enterprises, Inc.  9820 Willow Creek Road, Suite 440  San Diego, CA 92131  Phone: (858) 549-2874  Fax: (858) 549-2025  E-mail: Scushman@cushnet.net</p>	<p>Ernest J. Reyes  Network Realty  8312 Lake Murray Blvd., Suite I  San Diego, CA 92119  Phone: (619) 466-9942  Fax: (619) 698-3515  E-mail: Rilter4U@yahoo.com</p>	
<p><b>Region 10.</b>  Larry J. Pettingill  Mr. Moms Fit it  397 Hemlock Circle  Idaho Falls, ID 83401  Phone: (208) 390-5388  Fax: (208) 523-0202  E-mail: Mr_Moms@srv.net</p>	<p>Daniel Picora  Picora's NY Pizza  1401 East Madison Street  Seattle, WA 98122  Phone: (206) 595-8702  Fax: (206) 329-3701  E-mail: Danpicora@aol.com</p>	<p>Shiao-Yen Wu  9500 Roosevelt Way NE #100  Seattle, WA 98115  Phone: 206-349-1488  Fax: 206-522-0725  E-mail: wushiao-yen@WPfrealstate.com</p>	<p>Sue Linford  Linford of Alaska, Inc.  135 Cordova Anchorage  Anchorage, AK 2407  P: (907) 272-5050  F: (907) 272-5073  E-Mail:  suelinford@acsalaska.net</p>	

# Key Aspects of the SBREFA Legislation

The Small Business Regulatory Enforcement Fairness Act (SBREFA) became law in March, 1996 to foster a government environment that is more responsive to small businesses and other small entities. The Act is comprised of the following key areas:

- **Regulatory Compliance Simplification:** Federal regulatory agencies must develop compliance guides, written in plain English, to help small businesses understand how to comply with regulations that may have a significant effect on them. Agencies must also develop a program for providing small entities with informed guidance on complying with applicable laws and regulations.
- **Equal Access To Justice Act Amendments:** Under certain circumstances, small businesses can recover attorney's fees and court costs in a court or administrative hearing, even when they lose.
- **Congressional Review:** Congress has provided itself with a process by which it can review and, if necessary, disapprove regulations with which it takes issue.
- **Regulatory Enforcement Reform of Penalties:** Each regulatory agency must establish a policy to reduce and, where appropriate, waive civil penalties for minor violations under certain circumstances.
- **Small Business Advocacy Review Panels:** For proposed rules subject to the Regulatory Flexibility Act, EPA must solicit input from the small businesses that will be subject to the rules and make these findings public. SBA's Office of Advocacy and the Office of Management and Budget aid this process.
- **Regulatory Enforcement Reforms:** The Act created the Small Business and Agriculture Regulatory Enforcement Fairness Ombudsman. In 2006, President Bush appointed Nicholas N. Owens as National Ombudsman. The Act also created the Regional Regulatory Fairness Boards, the members of which assist the National Ombudsman in receiving small businesses' comments about enforcement activities of federal regulatory agencies. The appointed Fairness Board members are small business owners and operators.
- **Judicial Review:** A small entity which is "aggrieved" by any rule subject to the RFA can seek judicial review of the agency's compliance with the RFA.

## Brief Explanations of the National Ombudsman and Regional Fairness Boards

Subtitle B of SBREFA created the National Ombudsman and 10 Regional Regulatory Fairness Boards to provide small businesses with the opportunity to comment on enforcement activity by federal regulatory agencies. Through this provision, Congress and the President have provided a way that small businesses can express their views and share their experiences about federal regulatory activity.

The National Ombudsman and the Fairness Boards will receive comments about federal compliance and enforcement activities from small businesses, and report these findings to Congress every year. The report will give each agency a kind of "customer satisfaction rating" by evaluating the enforcement activities of regulatory agency personnel and rating the responsiveness of the regulatory agencies to small business regional and program offices.

### Regulatory Enforcement Ombudsman

- Receives comments from small businesses on federal agencies' compliance and enforcement actions
- Reviews small businesses' comments
- Rates federal agencies on their responsiveness to small businesses' comments
- Reports annually to Congress

### 10 Regional Fairness Boards

- Members are small business owners/operators
- Report to the National Ombudsman about comments and issues specific to their regions
- Provide input regarding federal agency compliance activities affecting small entities in their region
- Contribute to the annual report to Cong

For additional information about the Ombudsman or the Regulatory Fairness Boards, call SBA's toll free number: 1-888-REG-FAIR (734-3247) or visit their Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman)

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# EPA's Small Business Innovation Research (SBIR) Program

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The Environmental Protection Agency (EPA) is one of 11 federal agencies that participate in the SBIR Program established by the Small Business Innovation Development Act of 1982. The purpose of this Act was to strengthen the role of small businesses in federally funded R&D and help develop a stronger national base for technical innovation. **An SBIR small business is defined as a for profit organization with no more than 500 employees.** In addition, the small business must be independently owned and operated, at least 51 percent owned by U.S. citizens or lawfully admitted resident aliens, not dominant in the field of operation in which it is proposing, and have its principal place of business in the United States. Joint ventures and limited partnerships are eligible for SBIR awards, provided the entity created qualifies as a small business. T

EPA issues annual solicitations for Phase I and Phase II research proposals from science and technology-based firms. Under Phase I, the scientific merit and technical feasibility of the proposed concept is investigated. EPA awards firm-fixed-price Phase I contracts of up to \$70,000 and the period of performance is typically 6 months. Through this phased approach to SBIR funding, EPA can determine whether the research idea, often on high-risk advanced concepts, is technically feasible, whether the firm can do high-quality research, and whether sufficient progress has been made to justify a larger Phase II effort.

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

EPA's next Phase I Solicitation will open on March 23, 2006 and close on May 24, 2006. The Phase I Solicitation will be posted on the National Center for Environmental Research WEBSITE at:

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

Please note that last year's Phase I solicitation is still posted on the EPA WEBSITE. The solicitation includes a description of the SBIR Program, application requirements and research topics. This solicitation is available by Fax. If you need a faxed copy or if you have any questions, please call the EPA HELPLINE at:

1 (800) 490-9194



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

### **JULY, 2006**

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

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

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

A. EPA will eliminate or reduce penalties for small businesses that voluntarily discover, promptly disclose, and correct violations in a timely manner. However, in the rare instance where the small business has obtained a significant economic benefit from the violation(s) (*i.e.*, economic advantage over its competitors), EPA will waive 100% of the gravity component of the civil penalty, but may seek the full amount of any economic benefit associated with the violation(s).

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

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

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

**Q: What is a "small" business?**

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

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

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

**Q: Are any types of violations ineligible?**

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

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

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

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

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

	Policy Contacts		Small Business Liaison	
Region 1:	Joel Blumstein	617-918-1771	Dwight Peavey	617-918-1829
Region 2:	Ron Lockwood	212-637-3413	Ron Lockwood	212-637-3413
Region 3:	John Ruggero	215-814-2142	David Byro	215-814-5563
Region 4:	Paul Schwartz	404-562-9576	Annette Hill	404-562-8287
Region 5:	Richard Murawski	312-353-6721	Glynis Zywicki	312-886-4571
Region 6:	Rusty Herbert	281-983-2218	David Gray Patty Senna	214-665-2200 214-665-7175
Region 7:	Becky Dolph	913-551-7281	Jan Lambert	913-551-7768
Region 8:	Peggy Livingston	303-312-6858	Maureen Kiely	303-312-6262
Region 9:	Brian Riedel	415-972-3924	Angela Baranco	415-744-4262
Region 10:	Robyn Hoffmann	206-553-7154	Robyn Hoffmann	206-553-7154

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

A. Yes. EPA wants to encourage small businesses to learn about environmental compliance and pollution prevention through the wide range of programs and tools available to them through regulatory agencies, private and non-profit organizations, and the Internet. We are always interested in suggestions on better ways to do that. Contact Beverly Updike, 202-564-7142.

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

For the Small Business Compliance Policy go to: [www.epa.gov/compliance/incentives/smallbusiness/index.html](http://www.epa.gov/compliance/incentives/smallbusiness/index.html) and for general information about EPA's compliance assistance program go to: [www.epa.gov/compliance](http://www.epa.gov/compliance).



# EPA's Audit Policy

## General Information

Formal Title: "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" Citation: 65 FR 19,617 (April 11, 2000)  
Web Site:  
[www.epa.gov/compliance/incentives/auditing/auditpolicy.html](http://www.epa.gov/compliance/incentives/auditing/auditpolicy.html)

**Purpose** - To encourage regulated entities to voluntarily discover, disclose, correct and prevent violations of Federal environmental requirements

## Incentives Available Under the Audit Policy

**Penalty mitigation** - Entities that meet all of the conditions contained in the Audit Policy are eligible for 100% mitigation of all gravity-based penalties. Entities that meet all of the conditions except for "systematic discovery" of violations are eligible for 75% penalty mitigation. EPA retains its discretion to collect any economic benefit that may have been realized as a result of noncompliance.

**No recommendation for criminal prosecution** - For entities that disclose violations of criminal law and meet all applicable conditions under the Policy, the Agency will refrain from recommending criminal prosecution for the disclosing entity.

**No routine requests for audit reports** - In general, EPA will not request audit reports from those who disclose under the Audit Policy.

## To Make a Disclosure Under the Audit Policy

**Disclosures of civil violations** should be made to the EPA Region in which the entity or facility is located or, where multiple Regions are involved, to EPA Headquarters. For more information, contact **Philip Milton** at 202-564-5029.

**Disclosures of criminal violations** should be made to the appropriate EPA criminal investigation division, to EPA Headquarters, or to the U.S. Department of Justice. For more information, contact **James T. Morgan** at 202-564-7684.

**Conditions of the Audit Policy** - Entities that satisfy the following conditions are eligible for Audit Policy benefits. (Note: entities that fail to meet the first condition - systematic discovery - are eligible for 75% penalty mitigation and for no recommendation for criminal recommendation).

**Systematic discovery** of the violation through an environmental audit or the implementation of a compliance management system.

**Voluntary discovery**, that is, not through a legally required monitoring, sampling or auditing procedure.

**Prompt disclosure** in writing to EPA within 21 days of discovery or such shorter time as maybe required by law (discovery occurs when any officer, Director, employee or agent of the facility has an objectively reasonable basis for believing that a violation has or may have occurred).

**Independent discovery and disclosure**, before EPA likely would have identified the violation through its own investigation or based on information provided by a third-party.

**Correction and remediation** within 60 calendar days, in most cases, from the date of discovery.

**Prevent recurrence** of the violation.

**Repeat violations are ineligible**, that is, those that have occurred at the same facility within the past 3 years or those that have occurred as part of a pattern of violations within the past 5 years at another facility(ies) owned or operated by the same company; if the facility has been newly acquired, the existence of a violation prior to acquisition does not trigger the repeat violations exclusion.

**Certain types or violations are ineligible** - those that result in serious actual harm, those that may have presented an imminent and substantial endangerment, and those that violate the specific terms of an administrative or judicial order or consent agreement.

**Cooperation** by the disclosing entity is required.

For more information on this policy, contact **Philip Milton** at (202) 564-5029.

# Compliance Assistance Centers

[www.assistancecenters.net](http://www.assistancecenters.net)

This year, we're celebrating the Centers' ten year anniversary; ten years of targeted and productive assistance. Delivered by peer organizations of the regulated entities, important environmental information is reaching a broad audience of small businesses, local governments, and federal facilities that was unimaginable just a few years ago.

**These sector-specific resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply.**



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

**Construction Industry Compliance Assistance Center:** An environmental compliance assistance web site for contractors and builders/developers. [www.cicacenter.org](http://www.cicacenter.org)

**CCAR-GreenLink:** Helps the auto service and repair community identify common sense ways to comply with environmental regulations. [www.ccar-greenlink.org](http://www.ccar-greenlink.org)

**ChemAlliance:** Provides innovative web site features to direct chemical manufacturers to compliance assistance information and resources. [www.chemalliance.org](http://www.chemalliance.org)

**Environmental Compliance for Automotive Recyclers:** Provides plain language explanation of environmental regulations affecting automotive recyclers. [www.ECARcenter.org](http://www.ECARcenter.org)

**Healthcare Environmental Resource Center:** Provides pollution prevention and compliance assistance information for the health care sector. [www.HERCenter.org](http://www.HERCenter.org)

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

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

**National Metal Finishing Resource Center:** Provides comprehensive environmental compliance and technical assistance to the metal finishing industry. [www.nmfrc.org](http://www.nmfrc.org)

**Paints & Coatings Resource Center:** Provides regulatory compliance and P2 information to organic coating facilities. [www.paintcenter.org](http://www.paintcenter.org)

**Printed Wiring Board Resource Center:** Provides regulatory compliance and P2 information to printed wiring board manufacturers. [www.pwbrc.org](http://www.pwbrc.org)

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

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

**FedCenter:** Provides compliance information and tools designed specifically to meet the growing environmental needs of federal facilities. [www.FedCenter.gov](http://www.FedCenter.gov)

For more information, contact Tracy Back  
202/564-7076  
[back.tracy@epa.gov](mailto:back.tracy@epa.gov)



# What's New With The Centers?

**The Centers are continually developing new features to better serve their customers. Be sure to explore the new Center developments!**

## **Compliance Assistance Centers Survey Their Users**

Once a year, the Centers survey their users — even first-time visitors — on how well they help businesses, local governments, and federal facilities understand environmental requirements and improve environmental management practices. The results of the surveys help the Centers provide resources for environmental compliance. Please click on the Center sites at [www.assistancecenters.net/2006survey](http://www.assistancecenters.net/2006survey) and take a short 3-minute survey. Act now..... the Centers are offering incentives to respond to the survey.



## **PNEAC & The New Hazardous Waste Manifest**

On September 5, 2006, generators, transporters and disposal facilities must start using the new uniform hazardous waste manifest. The Printers' National Environmental Assistance Center (PNEAC), has partnered with EPA's Office of Solid Waste to develop a short, highly informative animated video that describes how to complete the new form. The digital video was developed by the University of Wisconsin through its role in co-directing PNEAC. For a link to this online video training and other information about the new hazardous waste manifest system see:

<http://www.epa.gov/epaoswer/hazwaste/gener/manifest/>

## **Trying To Reason With The Hurricane Season**

The U.S. hurricane season has begun, and forecasters expect it will be a busy one. That is not the news that chemical facilities wanted to hear after suffering through hurricanes Katrina and Rita in 2005. Many plants in the Gulf region have taken several steps to improve their ability to weather an intense storm based on lessons learned last fall. In a feature article exclusive to ChemAlliance, contributor Cynthia Challenger reviews some of the insights gained from last year's hurricane season, and highlights actions that chemical process facilities might consider in preparing for the upcoming hurricane season. <http://www.chemalliance.org/Columns/060522.asp>



## **CCAR Enrolls 2500th School In Free S/P2 Training**

The 2,500th school signed up for the Coordinating Committee For Automotive Repair's (CCAR) S/P2 online training in Safety and Pollution Prevention. "S/P2 is an excellent resource for educators because of its simple-to-follow format, detailed test and quiz results page, and the convenience of being online," said Matt Janisin, automotive instructor at the school. "Students can access it anytime from anywhere, and because it is widely used in industry, it is easy to show the students the importance of what they're learning in the classroom." The S/P2 courseware tracks technician/student progress through the material, grades tests and is updated as changes occur in federal and state laws.



## **AAAE & ISU Launch New Version TRANSOURCE Website:**

On March 24 AAAE together with Indiana State University updated the Transportation Environmental Resource Center (**TRANSOURCE**) commonly referred to as TRANSOURCE. The website serves the airports and airlines, railroads, barging, ports and motor carrier industries. The goal of the TERC center is to identify up-to-date information on environmental compliance requirements and to make that information available to transportation professionals and the public. The web-site offers a forum where users can post questions and receive answers to questions from other environmental overseers, as well as obtain up-to-date news and calendar of events.



## **Introduction To Farming For EPA & State Agencies**

Ag 101 provides an overview of American agriculture, designed to educate EPA and State staff who interact with agricultural producers. Through photos, diagrams and text, Ag 101 describes various activities and when they are carried out, the machinery or equipment farmers use, potential environmental concerns related to each component, and best management practices recommended to minimize environmental problems. The training module is available at: <http://www.epa.gov/agriculture/ag101>



# WHERE TO CALL FOR MORE INFORMATION AND HELP

## EPA SMALL BUSINESS OMBUDSMAN

Toll Free (800) 368-5888	Local and DC Area (202) 566-2855 <a href="http://www.smallbiz-enviroweb.org">www.smallbiz-enviroweb.org</a> Homepage <a href="http://www.epa.gov/sbo">www.epa.gov/sbo</a>	Fax (202) 566-2848 <a href="mailto:asbestos.ombudsman@epa.gov">asbestos.ombudsman@epa.gov</a>
<a href="mailto:smallbiz.ombudsman@epa.gov">smallbiz.ombudsman@epa.gov</a>		

### EPA Web Pages and Hotlines

### Phone Number

- National Service Center for Environmental Publications ..... 800-490-9198  
([www.epa.gov/ncepihom/](http://www.epa.gov/ncepihom/)) ..... 513-489-8190
- Indoor Air Quality Information Clearinghouse ..... 800-438-4318  
([www.epa.gov/iaq](http://www.epa.gov/iaq))
- Radon ..... 800-767-7236  
([www.epa.gov/iaq/radon](http://www.epa.gov/iaq/radon))
- EPA Energy Star ..... 888-782-7937  
([www.energystar.gov](http://www.energystar.gov))
- Clean Air Technology Center ..... 919-541-0800 (English)  
([www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc)) ..... 919-541-1800(Spanish)
- Office of Transportation and Air Quality ..... 734-214-4333  
([www.epa.gov/omswww](http://www.epa.gov/omswww))
- Emission Measurement Center ..... 919-541-7774  
([www.epa.gov/ttn/emc](http://www.epa.gov/ttn/emc))
- Stratospheric Ozone Information ..... 800-296-1996  
([www.epa.gov/ozone](http://www.epa.gov/ozone))
- Acid Rain (emission trading, auctions, Information) ..... 202-343-9620  
([www.epa.gov/airmarkets](http://www.epa.gov/airmarkets))
- Safe Drinking Water Hotline ..... 800-426-4791  
([www.epa.gov/safewater](http://www.epa.gov/safewater))
- National Env. Service Center (WV Univ) ..... 800-624-8301  
([www.nsf.edu](http://www.nsf.edu))
- Storm Water Processing Center, etc. .... 866-352-7755
- Water Resource Center ..... 202-566-1729
- Wetlands Information ..... 800-832-7828  
([www.epa.gov/owow/wetlands](http://www.epa.gov/owow/wetlands))
- Toxic Substance Control Act (TSCA) Information Service ..... 800-471-7127  
Washington Metro Area ..... 202-554-1404
- Office of Pesticide Program Registration Division (Ombudsman) ..... 703-305-5446  
([www.epa.gov/pesticides](http://www.epa.gov/pesticides))
- Bio-Pesticide Contact ..... 703-305-7973  
[www.epa.gov/pesticides/biopesticides](http://www.epa.gov/pesticides/biopesticides))
- National Pesticide Information Center ..... 800-858-7378  
([Http://npic.orst.edu](http://npic.orst.edu))
- EPA Waste Wise/Waste Reduction ..... 800-372-9473  
([www.epa.gov/wastewise](http://www.epa.gov/wastewise))
- Office of Environmental Justice Information Line ..... 800-962-6215
- Office of Emergency Management ..... 202-564-8600  
([www.epa.gov/emergencies](http://www.epa.gov/emergencies))
- Small Business Innovation Research (SBIR) ..... 800-490-9194  
(<http://epa.gov/ncerqa/sbir>)
- EPA Inspector General (IG) ..... 888-546-8740  
([www.epa.gov/oigearth](http://www.epa.gov/oigearth))
- Compliance Assistance Centers ..... 202-564-7076  
<http://www.assistancecenters.net>
- Small and Disadvantaged Business Utilization ..... 202-564-4100  
([www.epa.gov/osdbu](http://www.epa.gov/osdbu))

## OTHER WEBSITES & HOTLINES

## Phone Number

- Small Business Environmental Home Page ..... (412) 992-5349  
([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org))
- Recycling Hotline (Earth's 911) ..... (877) 327-8491  
([www.recycle.net/recycle](http://www.recycle.net/recycle)),([www.cleanup.org](http://www.cleanup.org))
- National Technical Information Service (NTIS) ..... (800) 553-6847  
([www.ntis.gov](http://www.ntis.gov)) ..... (703) 605-6000
- National Response Center for reporting oil spills and hazardous  
substance releases ..... (800) 424-8802  
Washington Metro Area ..... (202) 267-2675  
([www.nrc.uscg.mil](http://www.nrc.uscg.mil))
- Department of Energy (DOE)--National Alternative Fuels Hotline ..... (877) 337-3463  
[www.afdc.nrel.gov/hotline.html](http://www.afdc.nrel.gov/hotline.html)
- Energy-efficiency & Renewable Energy Information ..... 877.337.3463  
(Operated by the DOE)  
([www.eere.energy.gov](http://www.eere.energy.gov))
- DOT--Hazardous Materials. .... (800) 467-4922  
(<http://hazmat.dot.gov>)
- CHEMTREC Chemical Transportation Emergency Line, operated by ..... (800) 262-8200  
Chemical Manufacturers Association (DOT Regulations)  
([Http://chemtrec.com](http://chemtrec.com))
- National Lead Information Center ..... (800) 424-5323  
([www.epa.gov/lead/nlic.htm](http://www.epa.gov/lead/nlic.htm))
- Small Business Administration ..... (800) 827-5722  
([www.sba.gov](http://www.sba.gov))
- Regulatory Fairness Boards (SBA) ..... (888) 734-3247  
([www.sba.gov/ombudsman](http://www.sba.gov/ombudsman))
- Occupational Safety & Health Administration (OSHA) ..... (800) 321-6742  
(Worker Safety Referral Services)  
([www.osha.gov](http://www.osha.gov))
- American Lung Association ..... (800) 586-4872  
([www.lungusa.org](http://www.lungusa.org))
- Consumer Product Safety Commission ..... (800) 638-2772  
([www.cpsc.gov](http://www.cpsc.gov))
- Radon Emission(National Safety Council) ..... (800) 557-2366  
([www.nsc.org/ehc/radon.htm](http://www.nsc.org/ehc/radon.htm))
- Government Printing Office (Outside DC Calling Area) ..... (866) 512-1800  
([www.gpoaccess.gov](http://www.gpoaccess.gov)) DC area ..... (202) 512-0000
- National Institute of Occupational Safety and Health ..... (800) 356-4674  
([www.cdc.gov/niosh/homepage.html](http://www.cdc.gov/niosh/homepage.html))
- American Association of Poison Control Centers ..... (202) 362-7217  
([www.aapcc.org/](http://www.aapcc.org/))
- National Capital Poison Center For info& Emergencies([www.poison.org](http://www.poison.org)) .. (800) 222-1222
- Federal Trade Commission ([www.ftc.gov](http://www.ftc.gov)) ..... (877) 382-4357

## EPA REGIONAL SMALL BUSINESS LIAISONS

REGION 1	CT, ME, MA, NH, RI, VT	Dwight Peavey	(617) 918-1829
2	NJ, NY, PR, VI	Ronald Lockwood	(212) 637-3413
3	DE, DC, MD, PA, VA, WV	David Byro	(215) 814-5563
4	AL, FL, GA, KY, MS, NC, SC, TN	Annette N. Hill	(404) 562-8287
5	IL, IN, MI, MN, OH, WI	Glynis Zywicki	(312) 886-4571
6	AR, LA, NM, OK, TX	David Gray	(214) 665-2200
7	IA, KS, MO, NE	Janette Lambert	(913) 551-7768
8	CO, MT, ND, SD, UT, WY	Maureen Kiely	(303) 312-6262
9	AZ, CA, HI, NV, GU	Angela Baranco-Mason	(415) 947-4262
10	AK, ID, OR, WA	Robyn Hoffmann	(206) 553-7154

## State Pollution Prevention Technical Assistance Programs

### Region 1

#### U.S. EPA Region 1

Rob Guillemain  
1 Congress St.  
Suite 1100 (SPP)  
Boston, MA 02214-2023  
Ph: 617/918-1814  
Fx: 617/918-1810  
guillemain.robort@epa.gov

#### Connecticut DEP

Kim Trella  
79 Elm St.  
Hartford, CT 06106  
Ph: 860/424-3234  
Fx: 860/424-4153  
kim.trella@po.state.ct.us

#### Maine DEP

Peter Cooke  
17 State House Station  
Augusta, ME 04333  
Ph: 207/791-8101  
Fx: 207/822-6303  
peter.cooke@maine.gov

#### Massachusetts OTA

Paul Richard  
251 Causeway St.  
Boston, MA 02114  
Ph: 617/626-1042  
Fx: 617/6261095  
paul.richard@state.ma.us

#### New Hampshire DES

Stephanie D=Agostino  
29 Hazen Drive  
Concord, NH 03301  
Ph: 603/271-6398  
Fx: 603/271-2867  
sdagostino@des.state.nh.us

#### Narragansett Bay Commission

James McCaughey  
One Service Rd.  
Providence, RI 02905  
Ph: 401/461-8848 x352  
Fx: 401/461-6540  
jmccaughey@narrabay.com

#### NEWMOA - P2Rx Center

Terri Goldberg  
129 Portland St., Suite 602  
Boston, MA 02114  
Ph: 617/367-8558  
Fx: 617-367-0449  
tgoldberg@newmoa.org

#### Rhode Island DEM

Thomas Armstrong  
235 Promenade St.  
Room 250  
Providence, RI 02908  
Ph: 401/222-6822 x4412  
Fx: 401/227-3810  
thomas.armstrong@dem.ri.gov

#### Massachusetts' Toxics Use Reduction Institute

Janet Clark  
One University Ave.  
Lowell, MA 01854  
Ph: 978/934-3346

Fx: 978/934-3050  
clarkjan@turi.org

#### Vermont ANR

Gary Gulka  
103 South Main St.  
Laundry Building  
Waterbury, VT 05671  
Ph: 802/241-3626  
gary.gulka@state.vt.us

### Region 2

#### U.S. EPA Region 2

Tristan Gillespie  
290 Broadway (SPMMB)  
New York, NY 10007  
Ph: 212/ 637-3753  
Fx: 212/637-3771  
gillespie.tristan@epa.gov

#### New Jersey DEP

Michael DiGiore  
401 E State St, P.O. Box 423  
Trenton, NJ 08625  
Ph: 609/777-0518  
michael.digiore@dep.state.nj.us

#### New Jersey TAP

Michael J. Wallace  
138 Warren St.  
Newark, NJ 07102  
Ph: 973/596-5844  
wallacem@admin.njit.edu

#### New York DEC-P2 Unit

Dennis Lucia  
625 Broadway  
Albany, NY 12233  
Ph: 518/402-9167  
djlucia@gw.dec.state.ny.us

#### Puerto Rico Environment

Carlos Gonzales  
Ph: 809/765-7517 x381  
Fx: 809/765-6853

### Region 3

#### U.S. EPA Region 3

Maryann Helferty  
1650 Arch St. (3HS32)  
Philadelphia PA 19103  
Ph: 215/814-3299  
Fx: 215/814-3274  
helferty.maryann@epa.gov

#### Delaware DNR and Environmental Control

Crystal Nagyiski  
89 Kings Highway  
Dover, DE 19901  
Ph: 302/739-9909  
Fx: 302/739-6242  
crystal.nagyiski@state.de.us

#### D.C. Dept. of Health

Nick Kauffman  
51 N. Street, N.E., 5<sup>th</sup> Flr.  
Washington, D.C. 20002-3323  
Ph: 202/535-2305  
Fx: 202/535-2881  
nkauffman@dchealth.com

Maryland's Businesses for the Bay –  
Chesapeake Bay Program Office  
Mary Lynn Wilhere

410 Severn Avenue  
Suite 109  
Annapolis, MD 21403  
Phone: 410-267-5719  
MWilhere@chesapeakebay.net

#### MD Dept. of Environment

Laura Armstrong  
1800 Washington Blvd.  
Baltimore, MD 21230  
Ph: 410/537-4119  
Fx: 410/537-3896  
larmstrong@mde.state.md.us

#### PA Dept. of Environmental Protection

Libby Dodson  
Office of Pollution Prevention and  
Energy Efficiency  
P.O. Box 8772  
Harrisburg, PA 17105  
Ph: 717/772-8907  
Fx: 717/783-2703  
ldodson@state.pa.us

#### Virginia DEQ

Sharon K. Baxter  
629 E. Main St. 5<sup>th</sup> Flr.  
P.O. Box 10009  
Richmond, VA 23240-0009  
Ph: 804/698-4344  
Fx: 804/698-4277  
skbaxter@deq.state.va.us

#### Wytheville Community College – Manufacturing Technology Center

Joanne Chance  
1000 East Main St.  
Wytheville, VA 24382  
wcchanj@wcc.vccs.edu  
Ph: 276/223-4858

#### West Virginia DEP

Executive Office of Innovation  
G. E. "Greg" Adolffson  
601 57<sup>th</sup> St. South East  
Charleston, WV 25304  
Ph: 304/926-0440  
Fx: 304/926-0484  
gadolfson@wvdep.org  
http://www.wvdep.org/oi

### Region 4

#### U.S. EPA Region 4

Dan Ahern  
61 Forsyth St. SW  
Atlanta, GA 30303  
Ph: 404/ 562-9028  
Fx: 404/562-9066  
ahern.dan@epa.gov

#### Alabama DEM - P2 Unit

Gary Ellis  
P.O. Box 301463  
Montgomery, AL 36130  
Ph: 334/394-4352  
gle@adem.state.al.us

#### Florida DEP - P2 Program

Jan DeLaney  
2600 Blair Stone Rd.  
MS 4570  
Tallahassee, FL 32399  
Ph: 850/245-8733  
Fx: 850/245-8803  
jan.delaney@dep.state.fl.us

#### Georgia DNR- P2AD

Judy Adler  
7 MLK Jr. Dr.  
Suite 450  
Atlanta, GA 30334  
Ph: 404/651-5120  
Fx: 404/651-5130  
Judy\_adler@p2ad.org

#### Kentucky DEP

Aaron Keatley  
14 Reilly Road  
Frankfort, KY 40601  
Ph: 502/564-0323  
Aaron.keatly@ky.gov

#### Kentucky P2 Center

Cam Metcalf  
420 Lutz Hall  
Louisville, KY 40292  
Ph: 502/852-0965  
Fx: 502/852-0964  
cam.metcalf@louisville.edu

#### Mississippi DEQ – Permits

Richard Harrell  
P.O. Box 10385  
Jackson, MS 39289  
Ph: 601/961-5171  
Fx: 601/961-5703  
richard-harrell@deq.state.ms.us

#### North Carolina DEHNR

Gary Hunt  
Division of Pollution Prevention and  
Environmental Assistance (DPPEA)  
1639 Mail Service Center  
Raleigh, NC 27699-1639  
Ph: 919/715-6500  
Fx: 919/715-6794  
nowaste@p2pays.org

#### South Carolina DHEC

Robert Burgess  
2600 Bull St.  
Columbia, SC 29201  
Ph: 803/896-8986  
burgesse@dhec.state.sc.gov

#### Tennessee DEP

Karen Grubbs  
401 Church St.  
Nashville, TN 37243  
Ph: 615/532-0463  
pollution.prevention@state.tn.us

#### Waste Reduction Resource Center - P2Rx Center

1639 Mail Service Center  
Raleigh, NC 27699  
Ph: 919/715-6534  
Fx: 919/715-1612  
http://wrrc.p2pays.org

### Region 5

#### U.S. EPA Region 5

Phil Kaplan  
77 W. Jackson Blvd.  
(DW-8J)  
Chicago, IL 60604  
Ph: 312/353-4669  
Fx: 312/353-4788  
kaplan.phil@epa.gov

## State Pollution Prevention Technical Assistance Programs

**Great Lakes Regional P2 Roundtable - P2Rx Center**  
One East Hazelwood Dr.  
Champaign, IL 61820  
Ph: 800/ 407-0261  
glrppr@wmrc.uiuc.edu

**Illinois EPA**  
Becky Lockhart  
1021 N Grand Ave., East  
Springfield, IL 62794-9276  
Ph: 217/524-9642  
Fx: 217/557-2125  
becky.lockhart@epa.state.il.us

**Waste Management Research Center**  
Tim Lindsey  
One Hazelwood Dr.  
Champaign, IL 61820  
Ph: 217/333-8940  
Fx: 217/333-8944  
tlindsey@wmrc.uiuc.edu

**Indiana DEM**  
Karen Teliha  
100 N. Senate Ave.  
P.O. Box 6015  
Indianapolis, IN 46206-6015  
Ph: 800/988-7901  
Fx: 317/233-5627  
kteliha@dem.state.in.us

**Clean Manufacturing Tech & Safe Materials Institute**  
Dr. Lynn Corson  
2655 Yeager Rd., Suite 103  
West Lafayette, IN 47906  
Ph: 765/463-4749  
corson@purdue.edu

**Michigan DEQ (MDEQ)**  
Marcia Horan  
P.O. Box 30457  
Lansing, MI 48909  
Ph: 517/373-9122  
Fx: 517/241-0858  
horanm@michigan.gov

**Michigan Retired Engineer Technical Assistance Program (RETAP)**  
David Herb  
MDEQ  
P.O. Box 30457  
Lansing, MI 48909  
Ph: 517/241-8176  
herbdw@michigan.gov

**Minnesota (MN TAP)**  
Cindy McComas  
200 Oak St., SE, Suite 350  
Minneapolis, MN 55455-2008  
Ph: 612/624-1300  
Fx: 612/624-3370  
mccom003@umn.edu

**Minnesota Pollution Control Agency (MPCA)**  
Cindy Hilmoe  
520 Lafayette Road North  
St. Paul, MN 55155  
Ph: 651/296-7783  
Fx: 651/297-8676  
cynthia.hilmoe@pca.state.mn.us

David Cera  
520 Lafayette Rd. North  
St. Paul, MN 55155-4100  
Ph: 651/215-0240  
Fx: 651/297-8709  
david.cera@state.mn.us

**Ohio EPA**  
Michael Kelley  
P.O. Box 1049  
Columbus, OH 43216-1049  
Ph: 614/644-3469  
Fx: 614/728-2807  
p2mail@epa.state.oh.us

**TechSolve**  
Mary Beth Holley  
6705 Steger Drive  
Cincinnati, OH 45237  
Ph: 513/948-2038  
Fx: 513/948-2109  
http://www.techsolve.org

**University of Toledo**  
Ashok Kumar  
Dept. of Civil engineering  
2801 W. Bancroft St.  
Toledo, OH 43606-3390  
Ph: 419/530-8136  
akumar@Utnet.utoledo.net

**Wisconsin DNR (WDNR)**  
Mark McDermid  
P.O. Box 7921  
Madison, WI 53707  
Ph: 608/267-3125  
Fx: 608/267-0496  
mark.mcdermid@dnr.state.wi.us

**Wisconsin's Solid & Hazardous Waste Education Center (SHWEC)**  
Steve Brachman  
161 W. Wisconsin, Suite 6000  
Milwaukee, WI 53203  
Ph: 414/227-3160  
Fx: 414/227-3165  
brachman@uwm.edu

**University of Wisconsin Extension; SHWEC;**  
**University of Wisconsin Stevens Point College of Natural Resources**  
Jack Annis  
1900 Franklin St.  
Stevens Point, WI 54481  
Ph: 715/346-2793  
Fx: 715/346-3624  
jack.annis@uwsu.edu

**Region 6 U.S. EPA Region 6**  
Javier Balli  
1445 Ross Ave.,  
Suite 1200, 6EN-X  
Dallas, TX 75202  
Ph: 214/665-7261  
Fx: 214/ 665-7446  
balli.javier@epa.gov

**Arkansas Dept. of Environmental Quality**  
Allen Gilliam  
Arkansas Department of  
Environmental Quality - Water  
Division

8001 National Dr.  
Little Rock, AR 72209  
Ph: 501/682-0625  
gilliam@adeq.state.ar.us  
Audree Miller  
Environmental Preservation  
Division  
8001 National Dr.  
Little Rock, AR 72209  
Ph: 501/682-0015  
miller@adeq.state.ar.us  
http://www.adeq.state.ar.us/ep/prog\_dev.htm

**Gulf Coast Hazardous Substance Research**  
Jack Hopper  
P.O. Box 10613  
Beaumont, TX 77710  
Ph: 409/880-8785  
Fx: 409/880-2397  
hopperjr@hal.lamar.edu

**Louisiana DEQ**  
Clinton Twilley  
P.O. Box 82135  
Baton Rouge, LA 70884-2135  
Ph: 225/ 219-4079  
Fx: 225/219-3971  
clinton.twilley@la.gov

Patrick Devillier  
P.O. Box 82135  
Baton Rouge, LA 70884-2135  
Ph: 225/765-0913  
Patrick\_d@deq.state.la.us

**Lower Colorado River Authority**  
Mark Johnson  
P.O. Box 220  
Austin, TX 78767  
Ph: 512/473-3200 ext.  
2868Fx: 512/478-4026  
mark.johnson@lcra.org  
website: www.lcra.org

Declan O'Cleirigh  
P.O. Box 220  
Austin, Texas 78767  
Ph: 512/ 473-3200, ext. 2828  
Fx: 512/473-3274  
docleiri@lcra.org

**New Mexico Environment Department**  
Christopher Campbell  
WERC Pollution Prevention  
Technical Resources Center  
244 Louisiana, Suite 101  
Albuquerque, NM 87110  
Ph: 505/883-2650  
Fx: 505/232-3506  
chrisc@werc.net  
website: www.werc.net

Michelle Vattano  
New Mexico Environment  
Department  
Office of Secretary  
P.O. Box 26110  
Santa Fe, NM 87505  
Ph: 505/ 827-0677  
Fx: 505/827-2836  
michelle\_vattano@nmenv.

state.mn.us  
http://nmenv.state.nm.us/  
Green\_Zia\_website

Maureen Renee  
New Mexico Environment Department  
Pollution Prevention Program Public  
Relations Specialist P.O. Box 26110  
Santa Fe, New Mexico 87502  
Ph: 505/476-2170  
Fx: 505/827-2836

**Oklahoma DEQ**  
Dianne Wilkins  
P.O. Box 1677  
Oklahoma City, OK 73101-1677  
Ph: 405/702-9128  
Fx: 405/702-9101  
dianne.wilkins@deq.state.ok.us

Ryan Kirk  
P.O. Box 1677  
Oklahoma City, OK 73101-1677  
Ph: 405/702-9113  
Fx: 405/702-9101  
ryan.kirk@deqmail.state.ok.us

**Southwest Network for Zero Waste - P2Rx Center**  
Thomas Vinson-Peng  
10100 Burnet Rd.  
CEER-R 7100 Austin, TX 78758  
Ph: 512/232-7149  
Fx: 512/471-1720  
tvinson@mail.utexas.edu website:  
www.zerowastenetwork.org

Denzil Smith  
10100 Burnet Rd.  
CEER-R 7100  
Austin, TX 78758  
Ph: 512/232-2329  
Fx: 512/471-1720  
the\_denz@mail.utexas.edu website:  
http://www.utexas.edu/research/ceer/

Vince Torres  
10100 Burnet Rd.  
CEER-R 7100 Austin, TX 78758  
Ph: 512/471-5803  
Fx: 512-471-1720  
vmtorres@mail.utexas.edu  
http://www.adeq.state.ar.us/ep/prog\_dev.htm

**Texas Commission on Environmental Quality- Texas Natural Resource Conservation Commission**  
Grace Hsieh  
TNRCC-MC 112  
P.O. Box 13087  
Austin, TX 78711-3087  
Ph: 512/239-1408  
Fx: 512/239-3165  
ghsieh@tnrcc.state.tx.us

**Texas Commission on Environmental Quality- Center for Energy and Environmental Resources**  
David Greer  
10100 Burnet Rd.  
CEER-R 7100

## State Pollution Prevention Technical Assistance Programs

Austin, TX 78758  
Ph: 512/239-5344  
dgreer@tceq.state.tx.us

### Texas A&M University – Corpus Christi - Pollution Prevention Partnership

Gretchen Arnold  
6300 Ocean Dr.  
NRC #2200  
Corpus Christi, TX 78412  
Ph: 361/825-3070  
Fx: 361/825-2384  
gretchen.arnold@tamucc.edu

### University of Texas at Arlington – Texas Manufacturing Assistance Center

Kurt Middelkoop  
7300 Jack Newell Blvd. South  
Fort Worth, TX 76118  
Ph: 817/307-0613  
Fx: 817/272-5977  
kmiddelk@arrimail2.uta.edu  
Region 7  
U.S. EPA Region 7  
Gary Schlicht  
901 N. 5<sup>th</sup> St. (ARTD/SWPP)  
Kansas City, KS 66101  
Ph: 913/551-7097  
Fx: 913/551-7521  
schlicht.gary@epa.gov

Chet McLaughlin  
901 N. 5<sup>th</sup> St. (ARTD/SWPP)  
Kansas City, KS 66101  
Ph: 913/551-7666  
Fx: 913/551-7065  
mclaughlin.chilton@epa.gov

### Iowa DNR

Jeff Fiagle  
502 E. 9th St.  
Des Moines, IA 50319  
Ph: 515/281-5353  
Fx: 515/281-8895  
Jeff.Fiagle@dnr.state.ia.us

### Iowa Waste Reduction Center

John Konefas  
1005 Technology Parkway  
Cedar Fall, IA 50613  
Ph: 319/273-8905  
Fax: 319/268-3733  
john.konefas@uni.edu

### Kansas DHE

### Nevada Small Business Development Center

Kevin Dick  
UNV, Reno  
Business Bldg, Rm 411  
Reno, NV 89557-0100  
Ph: 775/689-6677  
Fx: 775/689-6689  
dick@unr.edu

### Region 10

### U.S. EPA Region 10

Carolyn Gangmark  
1200 Sixth Ave.  
(01-085)  
Seattle, WA 98101  
Ph: 206/553-4072  
Fx: 206/553-8338  
gangmark.carolyn@epa.gov

1000 SW Jackson, Suite 320  
Topeka, KS 66612  
Ph: 785/296-0669  
Fx: 785/296-3266  
ccolglaz@kdhe.state.ks.us

### KSU - P2 Institute

Nancy J. Larson, RS Director  
7001 West 21<sup>st</sup> North  
Wichita, KS 67205  
Ph: 316/722-7721 ext. 104  
Ph: 1-800-578-8898  
nlarson@ksu.edu

### Missouri DEQ - TAP

David Goggins  
P.O. Box 176  
Jefferson City, MO 65102  
Ph: 573/526-6627  
Fx: 573/526-5808  
nrgoggd@mail.state.mo.us

### Nebraska DEQ, P2 Office

Joe Francis  
1200 N St. Suite 400  
Lincoln, NE 68509  
Ph: 402/471-6087  
Fx: 402/471-2909  
joe.francis@ndeq.state.ne.us

### Mid-America Manufacturing

Technology Center (MEP)  
Anne Brown  
801 Campus Dr.  
Garden City, KS 67846  
Ph: 316/276-9505  
Fx: 316/276-9523  
abrown@midusa.net

### P2 Regional Information Center -

P2Rx Center  
Rick Yoder  
6001 Dodge St.  
Omaha, NE 68182  
Ph: 402/554-6257  
Fx: 402/554-6260  
ryoder@mail.unomaha.edu

### Region 8

### U.S. EPA Region 8

Linda Walters  
999 18th St., Suite 300  
Denver, CO 80202  
Ph: 303/312-6385  
Fx: 303/312-6044  
walters.linda@epa.gov

### Idaho DEQ

Patti Best  
1410 N. Hilton  
Boise, ID 83706  
Ph: 208/373-0502  
Fx: 208/373-0342  
pbest@deq.state.id.us

### Oregon Economic and Community Development

Glenn Montgomery  
775 Summer St. NE  
Salem, OR 97301  
Ph: 503/986-0158

### Pacific NW P2 Resource Center -

P2Rx Center  
Crispin Stutzman

### Colorado DHE

Kirk Mills  
4300 Cherry Creek Dr. South  
PPP-B2  
Denver, CO 80246-1530  
Ph: 303/692-2977  
kirk.mills@state.co.us

### Montana P2 Program

Dr. Michael P. Vogel  
109 Taylor Hall  
P.O. Box 173580  
Bozeman, MT 59717-3580  
Ph: 406/994-3451  
mvogel@montana.edu

### North Dakota Dept. of Health

Kent Belland  
P.O. Box 5520  
Bismarck, ND 58506-5520  
Ph: 701/328-5266  
kbelland@state.nd.us

### Peaks to Prairies P2 Info Center -

P2Rx Center, Montana State  
University Extension Service  
Laura Estes  
P.O. Box 173580  
Bozeman, MT 59717-5380  
Ph: 406/994-6948  
Fx: 406/994-5417  
www.peakstoprairies.org

### South Dakota DENR

Barry McLaury  
523 E Capitol Ave.  
Pierre, SD 57501-3182  
Ph: 605/773-5859  
barry.mcLaury@state.sd.us

### Utah DEQ

Sonja Wallace  
P.O. Box 144880  
Salt Lake City, UT 84114-4880  
Ph: 801/536-4477  
swallace@utah.gov

### Wyoming DEQ

Stephen Roseberry  
122 West 25th St.  
Cheyenne, WY 82002  
Ph: 307/777-7347  
sroseb@state.wy.us

513 1st Ave., W  
Seattle, WA 98119

Ph: 206/352-2050  
Fx: 206/352-2049  
cstutzman@pprc.org

### Washington Dept. of Ecology

Peggy Morgan  
P.O. Box 47600  
Olympia, WA 98504-7600  
Ph: 360/407-6739  
pmor461@ecy.wa.gov

### Alaska Green Star

Sean Skaling  
630 E. 5<sup>th</sup> Avenue,  
Suite 201  
Anchorage, AK 99501  
Ph: 907/278-7827  
Fx: 907/279-5868  
Fx: 907/786-6162  
aflmf@uaa.alaska.edu

### Region 9

### U.S. EPA Region 9

John Katz  
75 Hawthorn St (WST-7)  
San Francisco, CA 94105  
Ph: 415/972-3283  
Fx: 415/947-3530  
katz.john@epa.gov

### Western Regional P2 Network - P2Rx Center

Ed Gonzalez  
6100 Neil Rd, Suite 400  
Reno, NV 89511  
Ph: 775/689-6675  
Fx: 775-689-6689  
wrppn@wrppn.org

### Arizona DEQ

Joseph Soesilo  
1110 N Washington St  
Phoenix, AZ 85007  
Ph: 602/771-4205  
Fx: 602/771-4138  
js3@ev.state.az.us

### CA Integrated Waste Management Board

8800 Cal Center Dr  
Sacramento, CA 95826  
Ph: 916/341-6620  
bzassist@ciwmb.ca.gov

### CA Dept. of Toxic Substance Control

Kathy Barwick  
PO Box 806  
Sacramento, CA 95812  
Ph: 916/323-9560  
Fx: 916/327-4494  
kbarwick@dtsc.ca.gov

### Hawaii Dept of Health

Marlyn Aguilar  
919 Ala Moana Blvd.,  
Rm 212  
Honolulu, HI 96814  
Ph: 808/586-4226  
maguilar@cha.health.state.hi.us



# **EPA PROGRAM OFFICE SMALL BUSINESS PROJECTS AND CONTACTS**

## **OFFICE OF AIR AND RADIATION**

Air Control Technology Assistance Center	919-541-0800
Area Sources (Keith Barnett)	919-541-5605
Coatings Rules (Kim Teal)	919-541-5580
Energy Star - Small Business Network (Jerry Lawson)	202-343-9314
New Source Review Program (Racqueline Shelton)	919-541-0898
Program Review (Karen Blanchard)	919-541-5503
Regulatory Steering Committee (Tom Eagles)	202-564-1952
Satellite Broadcasts/Training (Dennis Shipman)	919-541-5477
State SBO/SBEAP CAAA Section 507 Contacts	Separate listing
Title V Exemptions (Jeff Herring)	919-541-3195

## **OFFICE OF WATER**

Concentrated Aquatic Animal Production (Jan Goodwin)	202-566-1060
Concentrated Animal Feeding Operations, CAFO (Paul Shriner)	202-566-1076
Environmental Management Systems (Jim Horne)	202-564-0571
Metal Products and Machinery Rule (Carey Johnston)	202-566-1014
Pretreatment Streamlining Rule (Jan Pickrel)	202-564-7904
Pretreatment Streamlining Rule (Greg Schaner)	202-564-0721
Regulatory Steering Committee (Sandy Evalenko)	202-564-0264
Small Systems/Capacity Development (Jenny Bielanski)	202-564-3836
Technology Assist Ctrs-(TACs) (Holly Fleming)	202-564-9909
Stage 1 DBPR Small Systems Compliance Guide (Tom Grubbs)	202-564-5262
Stormwater Industrial Permits (Bryan Rittenhouse)	202-564-0577
Water Alliance for Voluntary Efficiency (John Flowers)	202-564-0624
Multisector General Permit (Brian Rittenhouse)	202-564-0577
Alternate Steering Committee (Lynn Zipf)	202-564-2665
General Information (Kitty Miller)	202-564-0474

## **OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES**

Antimicrobial Ombudsman (Michael Hardy)	703-308-6432
Biopesticides Ombudsman (Brian Steinwand)	703-305-7973
Conventional Pesticides Ombudsman (Linda Arrington)	703-305-5446
General (Priscilla Flattery)	202-564-2718
OPPT Industry/Small Business Liaison (David Giamporcaro)	202-564-8107
Pesticide Improvement Act (Elizabeth Leovey)	703-305-7328
Pollution Prevention Resource Exchange (Beth Anderson)	202-564-8833
Pollution Prevention/P2 State Coordinator (Michele Amhaz)	202-564-8842
Pollution Prevention (Beth Anderson)	202-564-8833
Reg-in-a-Box (John Myers)	202-564-8624

Regulatory Steering Committee (Angela Hofmann)	202-564-0258
State P2 Technical Assistance Programs	Separate listing

### **OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE**

Overall OSWER Small Business Contact (Patrick Easter)	202-566-1931
Regulatory Steering Committee (Gerain Perry)	202-566-1929
Outreach and Communication--OSW (Diane Bartosh)	703-308-7895
Brownfields (Sven-Erik Kaiser)	202-566-2753
SPCC (Jackie Tenusak)	202-566-1926
112r Risk Management Plans, EPCRA 311-312, and Integrated Contingency Plan (Sicy Jacob)	202-564-8019
Superfund Community Involvement and Outreach (Suzanne Wells)	703-603-8863
Underground Storage Tanks (Karen Ellenberger)	703-603-7171
Waste Minimization (Anita Cummings)	703-308-8303
Recycling (Terry Grist)	703-308-7257

### **EPA Regional Public Liaisons for Superfund, RCRA, OSWER**

(Formerly listed as Regional Superfund RCRA Ombudsmen)

Region 1 (Chris Orlando)	617-918-1815
Region 2 (George Zachos)	1-888-283-7626
Region 3 (Susan Janowiak)	1-800-438-2474
Region 4 (L. Monty Bates)	404-562-8354
Region 5 (Bill Bolen - Acting)	312-353-6316
Region 6 (Arnold Ondarza)	1-800-533-3508
Region 7 (Craig W. Smith)	1-800-223-0425
Region 8 (Sonya Pennock)	1-800-227-8917
Region 9 (Julie Anderson)	1-800-231-3075
Region 10 (Mark Masarik)	1-800-892-7609
OSRTI (Bruce Engelbert)	703-603-8711
OSRE (Filomena Chau)	202-564-4224

### **OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE**

Audit Policy Implementation (Phil Milton)	202-564-5029
Compliance Assistance Centers (Tracy Back)	202-564-7076
Compliance Assistance General (James Edward)	202-564-2462
Compliance Assistance Measurement (Hans Scheifele)	202-564-1459
Compliance Assistance to Tribes (Jonathan Binder)	202-564-2516
Environmental Justice (Nicholas Targ)	202-564-2406
Environmental Justice (Barry Hill)	202-564-2515
Environmental Compliance Assistance Clearinghouse (Sharie Centilla)	202-564-0697
Homeland Security (Brian Mass)	202-564-6019
Inventory of EPA's Planned Compliance Assistance Activities (Rebecca Barclay)	202-564-7063
OC Mineral Processing (Emily Chow)	202-564-7071
OCE Mineral Processing (Craig Haas)	202-564-6447

Regulatory Steering Committee (Gerard C. Kraus)	202-564-6047
SBREFA 222 RegFair Program (Melissa Marshall)	202-564-7971
Sector Notebooks (Seth Hemingway)	202-564-7017
Small Business Coordinator (Beverly Updike)	202-564-7142
Supplemental Environmental Project (Beth Cavalier)	202-564-3271
UST Enforcement (Diana Saenz)	202-564-4209

### **OFFICE OF RESEARCH AND DEVELOPMENT**

Environmental Technology Verification (Theresa Harten)	513-569-7565
Regulatory Steering Committee (Connie Bosma)	202-564-6773
Small Business Innovative Research (SBIR) (Jim Gallup)	202-343-9703

### **OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS**

Appropriations and Cross-cutting Programs (Jim Blizzard)	202-564-1695
Small Business Issues (Clara Jones)	202-564-3701

### **OFFICE OF PUBLIC AFFAIRS**

Industry (Amy Dewey)	202-564-7816
Press Releases (Dave Ryan)	202-546-7827
Small Business (Andrew Beck)	202-564-2714

### **OFFICE OF GENERAL COUNSEL**

Dispute Resolution/Reg-Neg (Debbie Dalton)	202-564-2913
Regulatory Steering Committee (Mark Kataoka)	202-564-5584
RFA/SBREFA (Manisha Patel)	202-564-1042

### **OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT AND OFFICE OF ACQUISITION MANAGEMENT**

Competition Advocate (Corinne M. Sisneros)	202-564-4321
Regulatory Steering Committee (Susan Kantrowitz)	202-564-4317

### **OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION**

Procurement Opportunities (Jeanette Brown)	202-564-4100
Procurement Opportunities/HBCU and MI's (Cassandra Freeman)	202-564-4444

### **OFFICE OF ENVIRONMENTAL INFORMATION**

Central Data Exchange (Connie Dwyer)	202-566-1691
Information Strategies (Joe Sierra)	202-566-1683
Paperwork Reduction Act (Rick Westlund)	202-566-1682
PBT Rule Implementation Guidance (Gail Bentkover)	202-566-0677
Regulatory Steering Committee (Pat Williams)	202-566-0204

Economic Impact Assessment for TRI Rules (Bruce Madariaga)	202-566-0650
TRI Compliance Assistance (John Dombrowski)	202-566-0742
TRI Outreach and Web Issues, and Regional and State Coordination (Dipti Singh)	202-566-0739

### **OFFICE OF STATE/LOCAL RELATIONS**

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

### **OFFICE OF POLICY, ECONOMICS AND INNOVATION**

Beneficial Reuse of Industrial Materials (Jeff Kohn)	202-566-1407
Business & Community Innovation (Chuck Kent)	202-566-2800
Cement Manufacturing (Carl Koch)	202-566-2972
Colleges & Universities (Peggy Bagnoli)	202-566-2957
Community-based Env. Protection Construction (Peter Truitt)	202-566-2970
Environmental Management Systems (Shana Harbour)	202-566-2959
Environmental Results Program (Scott Bowles)	202-566-2208
Forest Products (Rhea Hale)	202-566-2965
Iron & Steel (Tom Tyler)	202-566-2969
Metal Finishing (Robin Kime)	202-566-1961
Metal Foundries & Die Casting (Jeff Kohn)	202-566-1407
Nat'l Center for Environmental Economics (Al McGartland)	202-566-2244
Nat'l Center for Environmental Innovation (Jay Benforado)	202-566-2800
Paints & Coatings (Barry Elman)	202-566-2958
Performance Incentives (Dan Fiorino)	202-566-2869
Performance Measurement Initiative (Yvonne Watson)	202-566-2239
Performance Measurement for Sectors (Carl Koch)	202-566-2972
Performance Track (Julie Spyres)	202-566-2885
Ports (Kathleen Bailey)	202-566-2953
Public Involvement Policy (Patricia Bonner)	202-566-2204
Public Involvement Policy (Leanne Nurse)	202-566-2207
Regulatory Agenda & Plan (Phil Schwartz)	202-564-6564
Regulatory & Policy Review (Alexander Cristofaro)	202-564-7253
Regulatory & Policy Review (Ken Munis)	202-564-6581
Regulatory Review (Stuart Miles-McLean)	202-564-6581
Regulatory Steering Committee (Nicole Owens)	202-564-1550
SBREFA Issues (Joan Crawford)	202-564-6568
Sector Based Partnership Programs (Robert Benson)	202-566-2954
Senior Advisor for Communication (Sandy Germann)	919-541-3061
Shipbuilding & Ship Repair (Shana Harbour)	202-566-2959
Small Business Economics (Brett Snyder/)	202-566-2261
Small Business Economics (Lanelle Wiggins)	202-566-2372
Smart Growth (Geoff Anderson)	202-566-2832
Smart Growth (Tim Torma)	202-566-2864
Partnership Programs (Stephan Sylvan)	202-566-2232

## **SMALL BUSINESS REGIONAL LIAISONS**

Region 1	(Dwight Peavey)	617-918-1829
Region 2	(Ronald Lockwood)	212-637-3413
Region 3	(David Byro)	800-228-871/215-814-5563
Region 4	(Annette N. Hill)	404-562-8287
Region 5	(Glynis Zywicki/Eileen Deamer)	312-886-4571/312-886-1728
Region 6	(David Gray/Patty Senna)	800-887-6063/214-665-2200/214-665-7178
Region 7	(Janet Lambert)	913-551-7768
Region 8	(Maureen Kiely)	303-312-6262
Region 9	(Angela Baranco)	415-947-4262
Region 10	(Robyn Hoffman)	206-553-7154

## **REGIONAL REGULATORY CONTACTS**

Region 1	(Pat O'Leary)	617-918-1929
Region 2	(Olga Maisonet)	212-637-3593
Region 3	(Esther A. Martinez)	215-814-3400
Region 4	(Annette Hill)	404-562-8287
Region 5	Vacant	000-000-0000
Region 6	(Maureen Taylor-Glaze)	214-665-7124
	(Michael McCorkhill – R6 alternate)	214-665-8553
Region 7	(Alice Todd)	913-551-7304
Region 8	(Sonya Moore)	303-312-6825
Region 9	(Anna Hackenbracht)	415-947-4265
Region 10	(Barbara Legas)	206-553-1250

## **COMPLIANCE ASSISTANCE COORDINATORS**

Region 1	(Lucy Casella)	617-918-1759
Region 2	(Linda Longo)	212-637-3565
Region 3	(Betty Barnes)	215-814-3447
Region 4	(Wesley Hardegree)	404-562-9610
Region 5	(Eileen Deamer)	312-886-1728
Region 6	(Israel Anderson)	214-665-3138
Region 7	(Carol Levalley)	913-551-7649
Region 8	(Liz Rogers)	303-312-6974
Region 9	(Angela Baranco)	415-947-4262
Region 10	(Robyn Hoffman)	206-553-7154

# Office of Small and Disadvantaged Business Utilization

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

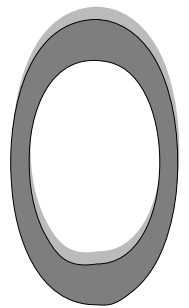
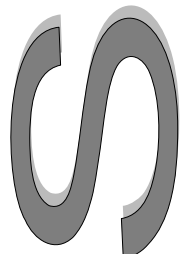
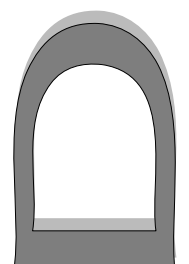
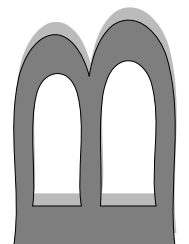
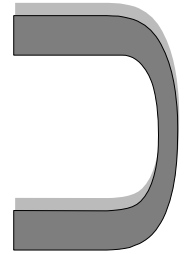
## Direct Procurement Program

### DESCRIPTION

The Office develops, in collaboration with the Director of the Office of Acquisition Management, Office of Administration and Resources Management, Office of Administration and Resources Management, and EPA senior-level officials, programs to stimulate and improve the involvement of small business, minority business, labor surplus areas and women-owned business enterprises in the overall EPA procurement process. OSDBU monitors and evaluates Agency performance in achieving EPA goals and objectives in the above areas, and recommends the assignment of EPA Small Business Representatives to assist designated Procurement Center Representatives of the Small Business Administration to carry out their duties pursuant to applicable socioeconomic laws and mandates.

### ACTIVITIES

- ◆ Develops policy and procurements impacting socioeconomic businesses
- ◆ Establish and monitor goals for:
  - Direct Procurement**
    - ☞ Small Business
    - ☞ 8(a) Business
    - ☞ Small Disadvantaged Business
    - ☞ Women-Owned Small Business
    - ☞ HUBZone Business
    - ☞ Service Disabled Veteran-Owned
  - Subcontracting**
    - ☞ Small Business
    - ☞ Small Disadvantaged Business
    - ☞ Women-Owned Small Business
    - ☞ HUBZone Business
    - ☞ Service Disabled Veteran-Owned
- ◆ Compile, collect and assemble statistical data on socioeconomic programs
- ◆ Mentor-Protégé Program
- ◆ Subcontracting Reviews and Approvals
- ◆ Outreach Efforts (Economic Development Programs for Selected Urban Centers)
- ◆ Education Training Program (Co-sponsorships with Workshops, Seminars and Trade Fairs)  
Provides technical and management assistance to small, disadvantaged business enterprises and women-owned entities, Alaskan Indian/American Natives, HACUs, HBCUs and MIs
- ◆ Liaison with Trade Associations, Business Organizations, and Federal Agencies, including: Small Business Administration, Minority Business Development Agency of Department of Commerce, Office of Federal Procurement Policy, OMB, Congress, General Services Administration, on Socioeconomic matters



# Assistance to Minority and Women-Owned Business Program

## Under Agency Financial Assistance Programs

(Grants and Cooperative Agreements)

### DESCRIPTION

The Office is responsible for assuring that small, minority, women-owned and labor surplus are firms are given the opportunity to receive a "fair share" of subagreements during the procurement phase of certain types of financial assistance awarded by the Agency. OSDBU develops policies and procedures to aid these business entities with the assistance of the Grants Administration Division, Office of Administration and the Grants, Contracts and General Law Division, Office of General Counsel. Additionally, OSDBU is responsible for the collection of data and for monitoring the effectiveness of the program and serves as the principal focal point between EPA and the Minority Business Development Agency of the U.S. Department of Commerce.

### ACTIVITIES

- ◆ Develops and monitors policy and procedures
- ◆ Regions establish "Fair Share" objectives with recipients of financial assistance
- ◆ Recipients report to delegated States or to Regional Offices
- ◆ EPA reports data to the Cabinet Council for Commerce and Trade through the Minority Business Development Agency
- ◆ Provides technical and management assistance to minority and women-owned businesses
- ◆ Provides Regional technical, management assistance and support
- ◆ Compile, collect, analyze and assemble data on DBEs, HBCUs and IAGs
- ◆ Provides reports on financial assistance program to various entities, including Congress

### MBE/WBE COORDINATORS

<u>REGION</u>	<u>COORDINATOR</u>	<u>STATES</u>	<u>TELEPHONE</u>
I	Sharon Molden	CT, ME, RI, MA, NH, VT	(617) 918-1062
II	Michele Junker	NJ, NY, PR, VI	(212) 637-3418
III	Romona McQueen	DE, DC, MD, PA, VA, WV	(215) 814-5155
IV	Josephine Brown	AL, FL, GA, KY, MS, NC, SC, TN	(404) 562-9634
V	Adrienne Callahan	IL, IN, MI, MN, OH, WI	(312) 353-5556
VI	Debora Bradford	AR, LA, NM, OK, TX	(214) 665-7406
VII	Chester Stovall	IA, KS, MO, NE	(913) 551-7549
VIII	Marshall Pullman	CO, MT, ND, SD, UT, WY	(303) 312-6499
IX	Joe Ochab	AZ, CA, HI, NV, AS, GU	(415) 972-3714
X	Valerie Badon	AK, ID, OR, WA	(206) 553-1141
Cincinnati	Norman White		(513) 487-2024
RTP	Jerry Dodson		(919) 541-2249
Headquarters	Lupe Saldana		(202) 564-5353

### OSDBU STAFF

Jeanette Brown	Director	(202) 564-4100
Cassandra Freeman	Deputy Director	(202) 564-4100
Susan Galliher	Special Assistant to the Director	(202) 564-0403
Kimberly Patrick	Attorney Advisor	(202) 564-5386
Denean Jones	Information Management Specialist	(202) 564-4142
Tammy Thomas	Management Analyst	(202) 564-4298
Lamont Norwood	Program Analyst	(202) 564-0928
Elnora Thompson	Office Automation Clerk	(202) 564-4139
Thelma Harvey	SEE Employee	(202) 564-4138
Barbara Overton	SEE Employee	(202) 564-4237
Samuel Peterson	SEE Employee	(202) 564-7921

The Office of Small and Disadvantaged Business Utilization (OSDBU) has a **OUTREACH CENTER** for small, minority and women-owned firms in concert with Howard University's Small Business Development Center. The services of the Outreach Center are designed to enabled developing, emerging and startup firms to strengthen their competitive position in the EPA marketplace. A few other services are available: (NO FEE is required except for special sessions when neither a celebrity consult is engaged or a site cost is encumbered. Hours of operations are 9:00 am until 4:00 pm, you can call for an appointment at (202) 564-4584.

OSDBU has a site on the Internet of general information and publications for small businesses interested in doing with EPA. Our WEB address is: <http://www.epa.gov/OSDBU>. You also can register you company in our Small Business Vendor Profile System at: <http://cfpub.epa.gov.sbvps>.

# REQUEST FOR PUBLICATIONS

Small Business Division (SBD)

JAN 2006

**EPA USE ONLY** Small Business \_\_\_\_ Asbestos \_\_\_\_

INQ. NO.: \_\_\_\_\_ DATE: \_\_\_\_\_ FILLED BY: \_\_\_\_\_ DATE FILLED: \_\_\_\_\_

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

[Add: \_\_\_\_ Init: \_\_\_\_ Date: \_\_\_\_] [Change: \_\_\_\_ Init: \_\_\_\_ Date: \_\_\_\_] [Delete: \_\_\_\_ Init: \_\_\_\_ Date: \_\_\_\_]

**NAME:** \_\_\_\_\_ **TELE. NO.:** (\_\_\_\_) \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

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

**INDUSTRY:** \_\_\_\_\_ **No. Employees:** 1-99 \_\_\_\_ 100-499 \_\_\_\_ 500-Up\_\_  
 (Indicate, or Circle Below)

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

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

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

A- 1	B- 6	C-10	C-56	C-91	D- 3	E-14	E-49	F- 6	H- 1	I- 2	I-32		K-37	K-67
A- 2	B- 7	C-11	C-57	C-92	D- 5	E-15	E-50	F- 7	H- 2	I- 3	I-35		K-38	K-68
A- 3	B- 8	C-12	C-58	C-93	D- 6	E-19	E-51	F- 9	H- 3	I- 4	I-36	K- 1	K-39	K-69
A- 4	B- 9	C-13	C-59	C-94	D- 7	E-20	E-52	F-10	H- 4	I- 5	I-38	K- 2	K-40	K-70
A- 5	B-10	C-14	C-60	C-95	D- 8	E-21	E-53	F-11	H- 5	I- 6	I-40	K- 3	K-41	K-71
A- 6	B-11	C-15	C-62	C-96	D- 9	E-22	E-54	F-12	H- 6	I- 7	I-41	K- 4	K-42	K-72
A- 7	B-12	C-17	C-63	C-97	D-12	E-23	E-55	F-14	H- 7	I- 8	I-42	K- 5	K-43	
A- 8	B-13	C-20	C-64	C-98	D-13	E-24	E-56	F-15	H- 8	I- 9	I-43	K- 6	K-44	
A- 9	B-14	C-21	C-65	C-99	D-14	E-25	E-57	F-16	H- 9	I-10	I-44	K- 8	K-45	
A-10	B-15	C-28	C-66	C-100	D-15	E-26	E-58	F-17	H-10	I-11	I-45	K- 9	K-46	
A-11	B-16	C-31	C-67	C-101	D-16	E-27	E-59	F-18	H-11	I-12	I-46	K-10	K-47	
A-12	B-17	C-32	C-68	C-102	D-17	E-28	E-60		H-12	I-13	I-47	K-11	K-48	
A-13	B-18	C-35	C-69	C-103	D-18	E-29	E-61	G- 1	H-13	I-14	I-48	K-13	K-49	
A-15	B-19	C-36	C-70	C-104	D-19	E-30	E-62	G- 2	H-14	I-15	K-14	K-51		
A-16	B-20	C-37	C-71	C-105	D-20	E-31	E-63	G- 3	H-15	I-16	J- 1	K-15	K-52	
A-17	B-21	C-38	C-73			E-31S	E-65	G- 4	H-16	I-17	J- 2	K-16	K-53	
A-18	B-22	C-39	C-75		E- 1	E-32	E-66	G- 5	H-17	I-18	J- 3	K-19	K-54	
A-20	B-23	C-40	C-76		E- 2	E-33	E-67	G- 6	H-18	I-19	J- 4	K-20	K-55	
A-21	B-24	C-41	C-77		E- 3	E-34	E-68	G- 7	H-19	I-20	J- 6	K-21	K-56	
A-22	B-25	C-42	C-80		E- 4	E-36	E-69	G- 8	H-20	I-21	J- 7	K-22	K-57	
A-23	B-26	C-43	C-81		E- 5	E-40	E-70	G- 9	H-21	I-22	J- 8	K-23	K-58	
A-24	B-31	C-44	C-82		E- 6	E-41	E-71	G-10	H-22	I-23	J- 9	K-28	K-59	
A-25		C-45	C-83		E- 7	E-42	E-72	G-11	H-23	I-24	J-10	K-29	K-60	
	C- 1	C-47	C-84	D- 1	E- 8	E-43	E-73	G-12	H-24	I-25	J-11	K-30	K-61	
B- 1	C- 2	C-50	C-85	D- 2	E- 9	E-44		G-13	H-25	I-26	J-12	K-31	K-62	
B- 2	C- 3	C-51	C-87	D- 3	E-10	E-45	F- 1	G-14	H-26	I-27	J-13	K-32	K-63	
B- 3	C- 7	C-52	C-88	D- 5	E-11	E-46	F- 2	G-15	H-30	I-28	J-14	K-33	K-64	
B- 4	C- 8	C-53	C-89	D- 6	E-12	E-47	F- 3	G-16		I-29	J-15	K-34	K-65	
B- 5	C- 9	C-54	C-90	D- 7	E-13	E-48	F- 5	G-17	I- 1	I-31	J-16	K-36	K-66	

**Mail to:**  
 Karen V. Brown, Small Business Ombudsman  
 US Environmental Protection Agency  
 1200 Pennsylvania Ave, NW (1807T)  
 Washington, D.C. 20460-0001

**Or Telephone:**  
 Toll Free Hotline: (800) 368-5888  
 In the D.C. area, (202) 566-2855/Telefax (202) 566-2848  
[Asbestos.ombudsman@epa.gov](mailto:Asbestos.ombudsman@epa.gov)  
[Smallbiz.ombudsman@epa.gov](mailto:Smallbiz.ombudsman@epa.gov)  
[www.epa.gov/sbo/pubs.htm](http://www.epa.gov/sbo/pubs.htm)

Other Materials Requested: \_\_\_\_\_





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Environmental Protection Agency  
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Washington, DC 20460

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