

Small-Biz@EPA

Small Business Ombudsman Bulletin



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News for the Small Business Community

Welcome & Introduction

Welcome to the Spring 2010 edition of the **SmallBiz@EPA** Bulletin.

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

This quarterly web publication highlights recent Agency activities and State Small Business Environmental Assistance Programs (SBEAPs) initiatives.

We hope you enjoy the articles and remain on our distribution list to receive future editions. Please notify us if your e-mail address has changed.

Do You have News for the **SmallBiz@EPA** Bulletin?

Want to reach the small business community? Send a brief synopsis of your success stories, technical and regulatory updates, and other news to Paula Zampieri (zampieri.paula@epa.gov). Include your web site link. Submissions must be received by the third Tuesday of March, June, September and December to be included in the next edition.

Events

2010 Small Business Environmental Conference
Washington, DC
"Expanding Partnerships to Meet the Changing Regulatory Landscape"
June 8-10
TRAINING CONFERENCE FOR SMALL BUSINESS ENVIRONMENTAL ASSISTANCE PROGRAMS, SMALL BUSINESS PROGRAM COORDINATORS, AND REGIONAL SMALL BUSINESS LIAISONS

2010 Small Business Environmental Conference: June 8-10, 2010 in Arlington, VA

The Office of Small Business Programs (OSBP) will host the 2010 Small Business Environmental Conference at the Hyatt Hotel in Arlington, VA

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For More Information on Small Business Environmental Compliance:
www.smallbiz-enviroweb.org

Events (continued)

on June 8-10, 2010. To meet the challenges of balancing limited resources and achieving environmental compliance, it is critical that the Agency and state programs network and share information, resources, and tools necessary to address the growing demands and needs of the small business community. This conference is the annual SBO/SBEAP National Conference. New this year, the annual Small Business Coordinators' Conference will be held in conjunction with the Conference, and for the first time we will also host a meeting of the Agency's Minority Academic Institution's (MAI) Program Regional Coordinators. This Conference is specifically designed to provide training to the small business coordinators who cover all four components of OSBP (Direct Program, Disadvantaged Business Enterprise Program, Asbestos and Small Business Ombudsman Program and the Minority Academic Institutions Program).

To register and for more information, go to:
www.sbeapconference.com.

Good Jobs, Green Jobs National Conference and Green Innovation Expo: May 4-6, 2010 in Washington DC



The 2010 Good Jobs, Green Jobs National Conference promises to be an extraordinary event, with three days of keynotes, plenary sessions and workshops dedicated to transforming our ideas into action and building a revitalized, green economy that creates good jobs, reduces global warming and preserves America's economic and environmental security.

To register and for more information, go to:
www.greenjobsconference.org.

America's Small Business Summit 2010: May 17-19, 2010 in Washington DC



This annual summit, sponsored by the U.S. Chamber of Commerce, is working towards finding ways to help "small business dreaming big."

For speakers, the full conference agenda, and to register, go to: www.uschambersummit.com.

Defense Logistics Agency Two-Day Regional Small Business Opportunities Meeting: May 18 - 19, 2010 in S. Fort Worth, TX

Join the Defense Logistics Agency (DLA), U.S. Women's Chamber of Commerce, and the National Association of Small Business Contractors for this two-day regional meeting connecting small business suppliers with the DLA.



For register or for more information, visit:
www.uswcc.org/dla-tx.

National Small Business Contracting Summit—South Central: June 8 - 9, 2010 - San Antonio, TX



Working together, the U.S. Women's Chamber of Commerce and the National Association of Small Business

Events (continued)

Contractors connect small business owners to federal agencies, prime contractors, resource providers and Congress to advance federal government contracting opportunities for small business owners. For more information, visit: www.uswcc.org/nsbcs-tx.

Training for EPA Regulatory Staff

The Office of Policy, Economics and Innovation's (OPEI) Regulatory Management Institute is offering two sessions of our ever-popular 3-day course, "Action Development at EPA," as well as "Just-in-Time Refreshers." The latter are quick courses EPA employees can take live via the web. All of the courses are free and taught by EPA staff with expertise in each field. You won't want to miss these timely courses!

Action Development at EPA (free 3-day in-person course).

- May 4 - 6, 2010
- September 14 - 16, 2010

Just-in-Time Refreshers (free one-hour online courses)

- May 20, 2010 @ 2 pm Eastern – Environmental Justice Considerations in the Action Development Process
- May 27, 2010 @ 2 pm Eastern – Climate Adaptation: Overview and Considerations for Rule Writers

Register today at

<http://intranet.epa.gov/orpm/training/>.

Asbestos and Lead Environmental Health and Safety Training Events

The Environmental Institute in Atlanta GA, offers a variety of asbestos and lead training. For their

2009-2010 annual training schedule in environmental health and safety, go to: www.tei-atl.com/html/schedule.html.



For Additional SBO/SBEAP events, go to: www.smallbiz-enviroweb.org/SharingInformation/Events.aspx.

Reaching Small Business

Open Government Initiative (White House): www.whitehouse.gov/open

In the Memorandum on Transparency and Open Government, issued on January 21, 2009, President Obama instructed the Director of the Office of Management and Budget (OMB) to issue an Open Government Directive. The Open Government Directive lays out the Obama Administration plan for breaking down long-standing barriers between the federal government and you.

Open Government (EPA): www.epa.gov/open

Provides links to current and planned EPA projects and initiatives that foster public participation and collaboration. We are taking immediate, specific steps to open our doors and data by:

- Publishing government information online.
- Improving the quality of government information.
- Creating and institutionalizing a culture of open government.
- Creating an enabling policy framework for open government.

Reaching Small Business (continued)

Maine Workshops on New EPA Air Regulation for Auto Body Shops, Auto Dealers, and Surface Coaters February 10-12, 2010

The Maine Department of Environmental Protection (ME DEP) Office of Innovation and Assistance SBEAP Program and EPA Region 1 completed three joint regional workshops in Maine (February 10-12, 2010) covering the new EPA "Paint Stripping and Miscellaneous Surface Coating Rule" under the Clean Air Act. This new federal regulation covers all auto body shops and dealers that use spray guns or conduct paint stripping using products that contain methylene chloride, and miscellaneous surface coaters (such as marinas or small manufacturers) that use spray coatings containing chromium, lead, manganese, cadmium, or nickel. Maine's SBEAP also provided additional outreach material regarding multi-media environmental compliance, energy savings opportunities, and pollution prevention material.



For more information, go to: www.epa.gov/region1/auto/index.html.

Gateway to State-By-State Resource Locators

Take a look at a helpful on-line tool for small businesses in environmental assistance. The Gateway to State-By-State Locator is where individuals may search for environmental rules, guidance, permits and programs within each state. Categories for the different environmental programs include; Land and Water, Waste, Air, Pollutants/Toxins, and Health and Safety. The Locator tool also provides information on state regulations and EPA state tools. If you are a small business environmental assistance provider, please make sure that your contact information is up to date and available on your state's site.

For more information and to research your state's resources, go to: www.envcap.org/statetools/index.cfm.

New Compliance Assistance Center: www.PortCompliance.org

Visit PortCompliance.org to better understand environmental regulatory issues applicable to port tenants and authorities. This new Compliance Assistance Center, developed in partnership between the National Center for Manufacturing Sciences, EPA Region 2 and the Port Compliance Assistance Focus Group, provides easy access to regulatory requirements applicable

to common port operations; audit program incentive opportunities; enforcement case studies and updates; inspector checklists; and more. In addition to helping port tenants and authorities understand their environmental compliance obligations, a vast amount of sustainability information is provided, including guidance on environmental management systems, diesel



Reaching Small Business (continued)

retrofit and other good practices and community outreach initiatives. Use PortCompliance.org to network with other ports and authorities who have environmental programs in place.

The Compliance Assistance Centers provide easy to understand compliance information targeted to the following sectors, geographic and environmental topics: agriculture; automotive service and repair; automotive recycling, chemical manufacturers; colleges and universities; construction; federal facilities; food processing; health care; local governments, metal finishing; paints and coatings; printed wiring board manufacturers; printers; ports; transportation; tribes; and US/Mexico/Canada border environmental issues.

All Centers can be accessed at:

www.assistancecenters.net.

Gateway for Rulemaking at EPA

The Rulemaking Gateway, www.epa.gov/rulemaking, is a new EPA web site to help you track priority rules that are under development. Use the site to learn about EPA rules from the moment we begin working on them—which is well before they appear in the Federal Register—to when the final rule is published. The Gateway includes special filters that allow specific groups, including small businesses, to decide which rules are of interest. RSS news feeds are also available so you can get alerts without having to visit the Web site.

After exploring the Gateway, you're invited to share your ideas for improving the site by posting a message on our online discussion forum:

<http://blog.epa.gov/rulegateway>.

Regulation Updates

Lead Renovation, Repair and Painting Rule Requirements Became Effective April 22, 2010

Lead Paint Rule on Renovation and Repair to Housing, Child-care Facilities, Schools: Effective April, 2010. To protect children from lead-based paint hazards, EPA issued a new rule for home improvement contractors and maintenance professionals who renovate, repair or paint child care facilities, schools or pre-1978 housing. The rule requires that firms involved in renovation, repair and painting be certified by EPA, that their employees be trained and certified, and that they follow specific lead-safe work practice standards. Anyone who owns or manages a home or building affected by the rule also needs to be aware of the rule in order to ensure that they hire properly trained and certified firms and workers. The requirements apply to renovation, repair or painting activities where more than six square feet of interior paint is disturbed or where 20 square feet of exterior paint is disturbed. The affected contractors include builders, painters, plumbers and electricians. A variety of resources are available to help you comply:

- Small Entity Compliance Guide to Renovate Right EPA's Lead-Based Paint Renovation, Repair, and Painting Program www.epa.gov/lead/pubs/sbcomplianceguide.pdf.
- EPA Enforcement Alert: Compliance with New Federal Lead-Based Paint Requirements www.epa.gov/compliance/resources/newsletters/civil/enfalert/leadpaint.pdf.
- EPA-Accredited Renovation, Repair, and Painting Program (RRP) Training Providers <http://epa.gov/lead/pubs/trainingproviders.htm>.

Regulation Updates (continued)

- Construction Industry Compliance Assistance Center <http://cicacenter.org>.
- Application for renovation firm certification <http://epa.gov/lead/pubs/firmapp.pdf>.

For more information on EPA's lead program, or to obtain copies of the rule and information on how to comply, visit: <http://epa.gov/lead/pubs/toolkits.htm#renovator>.

For copies of the educational brochures on this new program, call **1-800-424-LEAD**.

EPA Small Business Advocacy Review Panel for a Brick and Structural Clay Products Rulemaking

Under the Clean Air Act, EPA must issue national emissions standards for new and existing major sources of air toxics from a wide variety of industries, including brick and structural clay products manufacturing. Air toxics, also known as hazardous air pollutants, are pollutants known or suspected to cause cancer or other serious health problems. A facility is considered a "major source" if it emits 10 or more tons a year of a single air toxic, or a 25 or more tons of a combination of toxics.

EPA issued air toxics regulations for brick and structural clay products manufacturing facilities in 2003; however, those regulations were vacated by the courts. EPA is beginning the process of developing a new rule, which will apply to new and existing tunnel kilns and periodic kilns located at brick and structural clay product manufacturing facilities. An estimated 82 percent of the companies operating brick kilns are small businesses.

EPA is conducting a Small Business Advocacy Review Panel for the brick and structural clay products rulemak-



ing. The panel offers an opportunity for affected small businesses to provide input into the development of the agency's upcoming proposed rules for brick and structural clay products. EPA is required to convene such a panel if a rule may have a significant economic impact on a substantial number of small entities. In the past, EPA selected panel members in consultation with the Small Business Administration but did not invite businesses to volunteer to participate. This is the second panel for which EPA has used an online self-nomination process to seek volunteers to serve as small entity representatives.

For up to date information on this ruling, go to EPA's new Regulatory Gateway at: <http://yosemite.epa.gov/oepi/rulegate.nsf/byRIN/2060-AP69?opendocument>.

Laws, Regulations, Guidance and Dockets

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

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

Regulation Updates (continued)

- **Rulemaking Gateway** provides information to the public on the status of EPA's *priority rulemakings*.

Office of Information and Regulatory Affairs' "Dashboard"

As part of the Administration's effort to create a more open and transparent government, on February 16, 2010 the Office of Management and Budget launched an Office of Information and Regulatory Affairs (OIRA) "dashboard" on www.reginfo.gov, the public website with information about OIRA's review of draft regulations under Executive Order 12866.

The OIRA "dashboard" graphically presents information about rules under OIRA review through an easy-to-use interactive display. The dashboard will allow the public to sort rules by agency, length of review, stage of rulemaking, and economic significance. Please note that the dashboard will not display any information that is not already available on www.reginfo.gov. Rather, it will show and organize that information in a more accessible way to the public. As a result, OMB expects increased public and media interest in the rulemaking and regulatory review processes.

The OIRA dashboard can be found at www.reginfo.gov/public.

Success Stories

Environmental Leader Certification for Grocery Stores

The Maine Department of Environmental Protection (ME DEP) Office of Innovation and Assistance launched

the new voluntary Environmental Leader certification program for grocery stores March 17th at the Maine Grocers Association/Maine Merchants Association Spring Issues Forum. The program provides free technical assistance to help Maine grocery stores reduce operating costs and their environmental footprint.

The ME DEP staff presented on how Environmental Leader certification is achieved by accumulating points from



a checklist of environmentally preferable practices. Examples of environmental practices tracked in the certification include: storm-water management for parking lots, improved energy efficiencies for refrigeration, heating, ventilation, lighting, availability of organic and locally grown food, use of environmentally preferable cleaners, recycling, and waste management, and administrative practices. Environmental Leader certification programs have proven very successful for Maine's hospitality and restaurant businesses.

For more information go to:

www.maine.gov/dep/innovation/index.htm.

Technical Updates

Status of State Small Business Compliance Assistance Program Report

Formally known as the "Report to Congress," the Status of State Small Business Compliance Assistance Program Report summary report for 2007-2008 is now complete and soon to be available on the Small Business Environmental Home Page. These reports summarize

Technical Updates (continued)

progress made in the states and territories in fulfilling responsibilities under Section 507 of the 1990 Clean Air Act Amendments. The reports also include background information on the 507 programs, information on the budget and activities of the state programs.



You may access these most recent summary reports, as well as reports from previous years, at: www.smallbiz-enviroweb.org/AboutUs/reports.aspx.

Compliance Module for Sector Associations

The Maine Department of Environmental Protection (ME DEP) Small Business Environmental Assistance Program (SBEAP) is working with sector associations on creating a compliance module for small businesses that includes environmental regulations, pollution prevention guidance, carbon emission reduction guidance, health and safety regulations, and human resource regulations. This is their first venture working on a more comprehensive guide with their partners and the business community.

For more information, go to: www.maine.gov/dep/innovation/sbta/.

EPA Posts Web Pages on the Safe Use of Spray Polyurethane Foam

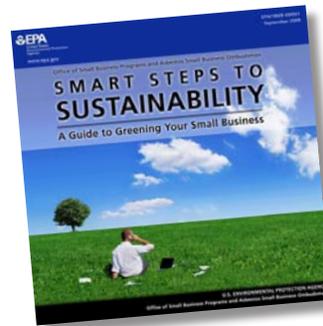
EPA recently posted information on spray polyurethane foam (SPF) on the Design for the Environment (DfE) web site. This health, safety, and use information will help ensure that best practices are used when SPF is applied. SPF is a widely used and highly-effective

insulator and sealant; however, eye, skin, and inhalation exposures to its key ingredient, isocyanates, and other SPF chemicals in vapors, aerosols, and dusts during SPF installation can cause asthma, respiratory problems, other breathing difficulties, skin irritation, or other adverse health effects.

For more information, visit www.epa.gov/dfe/pubs/projects/spf/spray_polyurethane_foam.html.

Green Business

Smart Steps to Sustainability— A Guide to Greening Your Small Business



EPA's Office of Small Business Programs is proud to announce that the new greening guide resource for small businesses is now available. Smart Steps to Sustainability promises to help your small business

in moving beyond compliance and into sustainability.

Environmentally-friendly business practices can yield enormous rewards, both for the environment and the business. Being green can:

- Save money from reduced waste and increased efficiency.
- Bring peace of mind from reduced concerns about health and safety liability.
- Improve public relations.
- Attract green consumers.
- Differentiate your business from competitors.
- Provide flexibility in uncertain times.

Green Business (continued)

For a copy of the Smart Steps to Sustainability Guide and other small business greening assistance resources, go to: www.epa.gov/osdbu/green-pubs.htm.

EPA's Small Business Green Task Force

The Office of Small Business Programs (OSBP) has created a Green Task Force to develop a Greening Initiative Report and Program for the OSBP, as well as for their customer service support. The Green Task Force is comprised of members of each of OSBP component including; the Direct Team (contracts), Indirect Team (grants), Minority Academic Institutions Team, Ombudsman Team and Administrative Support Team. Based on their various strengths and disciplines, all members of the Task Force have developed and researched ideas and suggestions on best greening practices. The intended end result of this Task Force and report is to find the best ways for the OSBP to become more environmentally friendly, as well as develop and offer the best greening tools to their customers.

Stay tuned and for more information on EPA's OSBP greening efforts, go to: www.epa.gov/osdbu/greening.htm.

Inquiries and Interviews

Tracy Westfield, Regulatory Management Division, EPA

What is your role within the Environmental Protection Agency's regulatory process and what are your main responsibilities in that role?

I work in the Regulatory Management Division (RMD), which is a part of EPA's Office of Policy, Economics, and Innovation. RMD manages the regulatory development

process. From the time a rulemaking office starts writing a rule to the time the final rule is published in the Federal Register, RMD is shepherding the rule along the process. We help make sure that experts throughout EPA and in other agencies have an opportunity to review the rule, manage outreach activities with small businesses (as required by the Regulatory Flexibility Act), and serve as a liaison with the Office of the Federal Register, among other things. My responsibilities are to provide related online information to the public and to EPA employees, to develop and offer regulatory training to EPA employees, and to maintain guidance related to the regulatory process.

How does your role affect and/or help small business?

I spearheaded EPA's development of the Rulemaking Gateway (www.epa.gov/rulemaking/). This web site provides an overview of EPA's priority rulemakings that are currently under development. It also serves as a portal to more in-depth information on other web sites such as Regulations.gov. Small businesses can benefit from this site by learning about rules that are likely to be of most interest to them. A "small entities filter" (<http://yosemite.epa.gov/oepi/RuleGate.nsf/content/effectssmallent.html>) lists those rulemakings that are likely to have an adverse economic impact on small entities, broken out by small businesses, governments, and not-for-profit enterprises. Information on the Rulemaking Gateway is updated on a monthly basis. In fact, some information (e.g., publication date) is updated on a daily basis.

What are some strengths and weakness to EPA's regulatory process? Please list any efforts that have been made (or are going to be made) to improve the process.

A number of different stakeholders have mentioned that they'd like to know about a rulemaking earlier

Inquiries and Interviews (continued)

in the process (i.e., before EPA publishes the proposed rule). The Rulemaking Gateway should help meet this need. It posts information about a priority rulemaking as soon as EPA begins working on the rule, which can be months or even years before a proposed rule is published and can be six to eight months earlier than when the rule is first mentioned in EPA's [Regulatory Agenda](#).

How can the small business community and small business environmental assistance providers best stay abreast and manage new regulation requirements coming out of EPA?

As I mentioned earlier, the Rulemaking Gateway should provide an easy way to track priority rulemakings. While the Gateway doesn't encompass every rule, the priority rulemakings are generally the regulations that have the potential to have the most impact on the economy. (See a definition of "priority rulemaking" here) If a small business stakeholder doesn't have the time to visit the Rulemaking Gateway on a regular basis, he or she can sign up for RSS feeds that send notifications out when information is added or changed (e.g., a new rulemaking is added to the Gateway or the "small business filter" changes in some way). Sign up for RSS feeds.

Apart from the Rulemaking Gateway, every new rulemaking that EPA starts working on in a given month (whether it's a priority rulemaking or not) is announced in the Action Initiation List (AIL) (www.epa.gov/lawsregs/search/ail.html). After a rule appears in the AIL, a small business stakeholder can track it in 1) the Rulemaking Gateway, which is updated on a monthly basis, if it is a priority rulemaking or 2) the Regulatory Agenda, which is updated on a twice yearly basis, if it is not a priority rulemaking.

Contact Lists

Need to find the right person to contact for a comment or question within your state, region, or program? Go to the Contacts page on the Small Business Environmental Home Page:

www.smallbiz-enviroweb.org/contacts.aspx.

The ASBO Team

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