



SmallBiz@EPA

EPA's Asbestos and Small Business Ombudsman Program

A monthly newsletter for the regulated small business community

June 2021

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Congrats on Another Successful Annual SBEAP Training Event!

Kudos to the SBEAP's National Steering Committee for hosting this year's Small Business Environmental Assistance Program's (SBEAP) Annual Training Conference. This year's event was hosted virtually, June 8-10, 2021 and focused on a variety of environmental compliance assistance presentations and strategy sessions. For the event's session information and recordings go to the [Nationalsbeap.org Training Page](https://nationalsbeap.org/Training-Page).

Policy & Regulation

EPA Moves Forward with Phase Down of Climate-Damaging Hydrofluorocarbons

On May 3, 2021, EPA proposed its first rule under the American Innovation and Manufacturing (AIM) Act of 2020 to phase down the production and consumption of hydrofluorocarbons (HFCs), highly potent greenhouse gases commonly used in refrigerators, air conditioners, and many other applications. The AIM Act directs EPA to sharply reduce production and consumption of these harmful pollutants by using an allowance allocation and trading program. This phasedown will decrease the production and import of HFCs in the United States by 85% over the next 15 years. A global HFC phasedown is expected to avoid up to 0.5°C of global warming by 2100.

EPA's proposal would set the HFC production and consumption baseline levels from which reductions will be made, establish an initial methodology for allocating HFC allowances for 2022 and 2023, and create a robust, agile, and innovative compliance and enforcement system. EPA intends to use the approach established through this rulemaking to issue allowances for 2022 by October 1, 2021 and plans to revisit the approach for subsequent years in a later rulemaking. In addition to proposing to establish a general HFC allowance pool and a set aside pool (e.g., for new market entrants), the proposal outlines how EPA plans to issue allowances for specific applications listed in the AIM Act that the Agency was directed to provide allowances for, such as mission-critical military applications.

EPA will accept comments on this proposal for 45 days after publication in the Federal Register and hold a public hearing. The Agency plans to finalize this rule later this year. For more information on the rule and how to comment, please visit: epa.gov/climate-hfcs-reduction. [Read the full press release](#).

EPA Extends Notification Deadline for Updates to Confidential Status of Chemicals on the TSCA Inventory

In April 2021, EPA posted a list of 390 chemicals by accession number expected to lose their confidential chemical identity status and move to the public portion of the Toxic Substances Control Act (TSCA) Inventory and gave stakeholders a deadline of May 14, 2021 to notify the Agency of any errors on the list. In response to industry stakeholder requests for additional time to review this list, EPA is extending the notification deadline to June 30, 2021.

EPA received letters from the American Chemistry Council and BASF requesting additional time to review the list of chemicals expected to lose their confidential chemical identity status. Specifically, concerns were expressed over the potential that some of the chemicals overlap with those reported under the Active-Inactive rule and the perception that EPA identified these chemicals through reliance only on 2020 Chemical Data Reporting (CDR) rule submissions.

Consistent with past practice, the listserv notice that was issued in April 2021 provided public notice of the chemical accession numbers that EPA expects to make available on the next update of the public TSCA Inventory. Stakeholders with interest, questions, or concerns about this change in confidential status may contact the [EPA staff listed on our webpage](#) no later than June 30, 2021. [View the list of 390 chemicals by accession number that EPA expects to disclose on the public TSCA Inventory.](#) [Read the press release.](#)

EPA Announces Changes to Prevent Unsafe New PFAS from Entering the Market

In support of the Biden-Harris Administration's commitment to tackling pollution from Per- and Polyfluoroalkyl Substances (PFAS) and protecting human health and the environment, EPA is announcing important policy shifts in its review of new PFAS before they can enter the market. Historically, some new PFAS have been allowed to enter the market through [low volume exemptions](#) (LVEs). EPA's New Chemicals Program is implementing a new strategy for reviewing and managing LVE requests for PFAS to protect all Americans and the environment from the potentially harmful effects of these chemicals.

Due to the scientific complexities associated with assessing PFAS, and the hazard potential associated with various sub-classes of PFAS, it is challenging to conduct an appropriately robust review of LVE requests for PFAS in the 30 days the regulations allow. The regulations provide for the denial of LVE requests when EPA finds the chemical in question may cause serious human health effects or significant environmental effects, or when issues concerning toxicity or exposure require review that can't be completed in 30 days.

Additionally, EPA is exploring ways to work cooperatively with companies to voluntarily withdraw previously granted LVEs. This would build upon a 2016 outreach effort that resulted in companies withdrawing more than half of the 82 long-chain PFAS LVEs that existed at the time.

EPA also recently announced [important changes in the way the Agency reviews and make determinations on new chemicals submissions](#) to better align with TSCA, including using consent orders, when appropriate, to address any unreasonable risks. These policy shifts apply to all pending and new PMNs and significant new use notices, including those that involve PFAS.

These policy changes will ensure that if new PFAS are allowed to enter commerce, EPA will have reviewed all intended, known, and reasonably foreseen conditions of use and that these chemicals will not enter commerce absent appropriate and enforceable protections for human health, including that of

workers, and the environment. [Learn more about EPA's review of new chemicals.](#) [Read the press release.](#)

EPA Adds New PFAS to its Drinking Water Treatability Database

New Updates Empower Communities with Information about PFAS in Drinking Water

As part of its commitment to address drinking water challenges across America, EPA announced an update to the Drinking Water Treatability Database with new references and treatment options for per- and polyfluoroalkyl substances (PFAS). This update will help states, tribes, local governments, and water utilities make informed decisions to manage PFAS in their communities.

The Drinking Water Treatability Database contains information on many different contaminants, not just PFAS. EPA researchers continue to expand and improve information in the database. For more information on EPA's Drinking Water Treatability Database and to access it, visit: epa.gov/water-research/drinking-water-treatability-database-tdb Learn more about EPA's PFAS research: epa.gov/chemical-research/research-and-polyfluoroalkyl-substances-pfas. [Read the full press release.](#)

Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedure

This action announces EPA's approval of alternative testing methods for use in measuring the levels of contaminants in drinking water to determine compliance with national primary drinking water regulations. The Safe Drinking Water Act authorizes EPA to approve the use of alternative testing methods through publication in the Federal Register. EPA is using this streamlined authority to make 17 additional methods available for analyzing drinking water samples. This expedited approach provides public water systems, laboratories, and primacy agencies with more timely access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protection. This action is effective as of May 26, 2021. EPA has established a docket for this action under Docket ID No. EPA-HQ-OW-2021-0079. All documents in the docket are listed on the www.regulations.gov website. [Read the Federal Register Notice.](#)

National Pollutant Discharge Elimination System (NPDES) 2022 Issuance of General Permit for Stormwater Discharges from Construction Activities

All ten Environmental Protection Agency (EPA) Regions proposing for public comment on the proposed 2022 National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges from construction activities, also referred to as the "proposed 2022 Construction General Permit (CGP)" or the "proposed permit." The proposed permit, once finalized, will replace the existing 2017 CGP that will expire on February 16, 2022. EPA proposes to issue this permit for five (5) years, and to provide permit coverage to eligible operators in all areas of the country where EPA is the NPDES permitting authority, including Massachusetts, New Hampshire, New Mexico, most Indian country lands, the District of Columbia, U.S. territories and protectorates except for the U.S. Virgin Islands, and certain federal facilities. EPA seeks comment on the proposed permit and on the accompanying fact sheet, which contains supporting documentation. [This *Federal Register* document](#) describes the proposed permit in general and includes specific topics on which the Agency is particularly seeking comment. EPA encourages the public to read the fact sheet to better understand the proposed permit, which can be found at epa.gov/npdes/stormwater-discharges-construction-activities. Comments on the proposed permit must be received on or before July 12, 2021. EPA will host at least one webcast during the week of June 14, 2021 that will provide an overview of the proposed 2022 CGP and an opportunity for

participants to ask questions. EPA will announce details of all webcasts and post webcast recordings at epa.gov/npdes/stormwater-discharges-construction-activities.

Key Dates and Upcoming Opportunities

EPA Webinar: Proposed 2022 Construction General Permit (CGP)

June 17, 2021 1:00 PM ET

EPA is hosting a webinar on Thursday, June 17, 2021 from 1:00 to 3:00 pm EST that will summarize the changes included in the proposed 2022 CGP and provide an opportunity for attendees to ask questions they have about the permit. [Register for the webinar](#).

Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act

Notice of virtual public listening sessions; request for public comment.

- Public Listening Session 1 – June 16, 2021 12:00pm ET [Register for June 16, 2021 Session](#)
- Public Listening Session 2 – July 8, 2021 4:00pm ET [Register for July 8, 2021 Session](#)

EPA is reviewing the [Risk Management Program \(RMP\)](#) rule in accordance with [Executive Order 13990: Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis \(EO 13990\)](#). In addition to accepting written comments, EPA will hold virtual public listening sessions. The virtual public listening sessions will provide interested persons the opportunity to present information, comments or views pertaining to the review of RMP regulation revisions completed since 2017 (including the [2017 Final Amendments to the RMP Rule](#) and [2019 Final RMP Reconsideration Rule](#)).

The Occupational Safety and Health Administration (OSHA) will also participate in the listening sessions. OSHA administers the Process Safety Management (PSM) standard, which contains similar requirements to the RMP rule. For more information, visit epa.gov/rmp/forms/virtual-public-listening-sessions-risk-management-program-rule.

EPA Webinar: Clean Air Act (CAA) List of Air Toxics, Addition of 1-Bromopropane (1-BP), June 23, 2021

Two webinars will be held on Wednesday, June 23, 2021 (Click link to register)

3:00p.m.-4:00p.m. EDT: [Communities/Environmental Justice Stakeholders/Tribes](#)

4:00p.m.-5:00p.m. EDT: [Small Business Stakeholders](#)

On June 23, 2021, EPA will host two webinars on the [1-BP Advance Notice of Proposed Rulemaking, or ANPRM](#). These webinars will provide an opportunity for the public to *provide feedback* concerning facilities located within their community that may be subject to the revisions or new emission standards. Each webinar will be similar but targeted to a difference audience (small businesses, Environmental Justice stakeholders and tribes).

On Monday, June 7, 2021, EPA's Administrator signed an ANPRM related to adding 1-bromopropane (1-BP) to the Clean Act's list of hazardous air pollutants (HAP). EPA intends to add 1-BP to the HAP list by the end of 2021. This will be the first time that EPA has added a pollutant to the HAP list since the list was created by the 1990 Clean Air Act amendments. This chemical is largely used in solvent degreasing; it is also used in adhesives, furniture foam fabrication, and surface coatings applications in industries such as aerospace manufacturing.

Greening Your Bottom Line: Preventing, Rescuing, and Diverting Waste in Food and Beverage Businesses

June 18, 2021, 1:00 - 2:00 PM ET [Register Now](#)

This webinar, hosted by UMass Lowell, Lowell Center for Sustainable Production and the Center for Energy Efficiency and Renewable Energy (CEERE), will explore challenges and opportunities for food and beverage businesses related to waste management. This event is part of a series of webinars hosted by UMass Lowell and supported by a pollution prevention (P2) grant from EPA Region 1 to help these businesses make improvements that save money and reduce their environmental impact.

Speakers:

- Madeline Typadis Snow, Project Manager, UMass Lowell, Lowell Center for Sustainable Production
- Coryanne Mansell, Program Specialist, Center for EcoTechnology

Sustainable Solutions for Craft Beverage Producers: How to Cultivate a Culture of Sustainability at Your Facility

June 22, 2021, 2:00 – 3:00 PM ET [Register Now](#)

In this webinar, representatives from three breweries will share how their businesses have cultivated a culture of sustainability inside and outside their organizations.

- Nicole Carrier from Throwback Brewery in North Hampton, New Hampshire will discuss how a sustainability mindset informs her business' operations, from using locally sourced ingredients, to promoting community engagement and environmental goals.
- Dani Babineau from Redemption Rock Brewing Company in Worcester, Massachusetts, will explain what it means to be a B Corporation, a private certification for companies of social and environmental performance.
- Luke Truman from the Allagash Brewing Company in Portland, Maine will share how his company and other brewers are working to reduce water use, promote employee Green Teams to educate, inspire and empower employees around sustainability, and produce zero waste.

This webinar is sponsored by EPA's Region 1 Pollution Prevention Program, EPA's ENERGY STAR® Program, and the New Hampshire Department of Environmental Services' Pollution Prevention Program.

Ten Communities Selected for EPA Roundtable Discussions on Lead in Drinking Water

EPA announced the ten communities that have been selected for virtual roundtable discussions on EPA's Lead and Copper Rule (LCR) Revisions. The roundtables will foster dialogue on the experience of communities that are affected by lead in drinking water as the Agency reviews the LCR to ensure that it supports EPA's priorities.

EPA's community roundtables kicked-off with Pittsburgh, Pa on June 3, 2021. The Agency will also host roundtables with Newark, N.J.; Washington, D.C.; Milwaukee, Wis.; Chicago, Ill.; Benton Harbor and Highland Park, Mich. (combined); Flint and Detroit, Mich. (combined); Malden, Mass.; Memphis, Tenn.; and Newburgh, N.Y. The community roundtables will include local public water utilities, community organizations, environmental groups, and public officials. The roundtables will be live-streamed.

In addition to these geographically focused roundtables, EPA will also host national stakeholder

roundtables with drinking water utilities, intergovernmental associations, environmental organizations, environmental justice organizations, public health organizations, and consumer associations. In July 2021, EPA will also host a Tribal roundtable discussion and a national co-regulator meeting with primacy agencies to discuss the feedback received from communities and stakeholders.

Members of the public may also submit comments via the docket at: www.regulations.gov, Docket ID: EPA-HQ-OW-2021-0255 until June 30, 2021. Additional information on the virtual roundtables, including how to watch, will be available at: epa.gov/ground-water-and-drinking-water/lead-and-copper-rule-revisions-virtual-engagements. [Read the full press release](#).

EPA Announces Environmental Justice Consultations on Risk Management Rulemakings for Trichloroethylene and Perchloroethylene

EPA invites environmental justice communities and stakeholders to participate in Environmental Justice Consultations regarding the development of proposed risk management actions under section 6(a) of the Toxic Substances Control Act (TSCA) to address unreasonable risks presented by [trichloroethylene \(TCE\)](#) and [perchloroethylene \(PCE\)](#).

The environmental justice consultation period will extend through August 20, 2021. The Agency will hold identical two consultation webinars, one on [June 16, 2021](#) and the other on [July 6, 2021](#). EPA is offering these repeated sessions to increase opportunities for participation. Both sessions will provide an overview of the TSCA risk management requirements, the findings from the final risk evaluations, the tools available to manage the unreasonable risks from TCE and PCE, and an opportunity for EPA to obtain input on environmental justice concerns. These consultations are open to the public, and EPA is inviting national, local and non-governmental organizations, communities, and other interested stakeholders to participate.

In addition to these environmental justice consultations, EPA is executing a robust outreach effort during risk management that includes consultations with small businesses, state and local governments, and tribes. There will also be an open public comment period on proposed risk management regulations.

Find registration information for the environmental justice consultations and more opportunities for public and stakeholder engagement at epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca. [Read the full press release](#).

EPA Opens Application Period for Grants Dedicated to Sustainable Pest Control in Agriculture

EPA is accepting applications for a \$1 million dollar grant initiative through the Pesticide Environmental Stewardship Program (PESP) that encourages smart, sensible, and sustainable pest control in agriculture. Through these grants, EPA will support projects that explore innovative practices, technologies, education, and non-regulatory solutions that adopt integrated pest management (IPM) strategies.

EPA anticipates awarding approximately \$1 million in total federal funding to support 10 projects – one from each EPA region. The Agency is accepting applications from the 50 States, District of Columbia, U.S. Virgin Islands, Commonwealth of Puerto Rico, any territory or possession of the United States, any agency or instrumentality of a State including State universities, and all Federally recognized Native American Tribes.

Interested groups can apply at www.grants.gov/web/grants/view-opportunity.html?oppld=333775. Applications must be submitted by July 9, 2021, to be considered. Awarded projects will start in the

fourth quarter of 2021. For more information about PESP grants, visit epa.gov/pep/pesticide-environmental-stewardship-program-grants. [Read the press release.](#)

SBA Launches ‘Community Navigator Pilot’ Program Application

On May 25, 2021, SBA announced that it is accepting applications for its new Community Navigator Pilot Program. This new initiative, established by the American Rescue Plan, will leverage a community navigator approach to reach our nation’s smallest businesses, with a priority focus on those owned by socially and economically disadvantaged individuals, as well as women and veterans. SBA will accept applications through July 12, 2021 and anticipates making award decisions by August 2021. The Biden-Harris Administration has made delivering equitable relief to hard-hit small businesses a top priority and will continue to take steps to ensure equitable distribution of relief.

The [Community Navigator Notice of Funding Opportunity](#) will be open to applications from nonprofit organizations, state, local, and tribal governments, SBA resource partners, and other organizations. Selected partners will engage in [targeted outreach](#) for small businesses in underserved communities to help small businesses get the resources and support they need to get back on track as the economy continues to recover from the COVID-19 pandemic.

Making a Difference in Underserved Small Business Communities.

Key in this initiative are partners and people in the community, serving as a two-way information stream, enabling enterprising business owners to receive the help needed from the SBA. Serving as the foundation of America’s economy, these underserved businesses have areas of concern that need to be addressed. Community Navigator Pilot will provide [counseling](#), networking, and the assistance needed during this time of economic recovery.

Competitive grant awards will range from \$1 million to \$5 million for a two-year performance period. Applicants have until July 12, 2021 to submit their applications at grants.gov. Performance periods are projected to commence in September 2021. Those eligible to apply must meet and demonstrate abilities to support the requirements of this funding opportunity. For more information on the Community Navigators Initiative, please visit www.sba.gov/navigators. [Read the press release.](#)

Ask SBEAP

Dear SBEAP,

When we use brake cleaner in our shop, it can literally take our breath away. Should we look for a different product?

Sincerely,
Alternative Albert

Dear Albert,

By choosing safer brake and carb cleaners, automotive repair shops may have opportunities to help keep employees healthy while reducing air pollution. These cleaners are affordable, available and they work!

Conventional products typically contain hazardous air pollutants (HAPs) and/or volatile organic compounds (VOCs) which can be unhealthy for employees using them. It can be confusing to find

better products that still work and aren't expensive. Vendors may discourage you from changing because they often make a larger profit from conventional cleaners. However, safer products are becoming more common. You just need the following keys to success:

- Avoid key HAPs: xylene, toluene, ethyl benzene or methanol.
- Look for key words: non-chlorinated, low VOCs or 50-state compliant.
- Most of the effective, safer alternatives will contain hydrocarbon, acetone and/or heptane. Aqueous surfactants can also be a safe and effective choice.
- Research alternatives through the on-line [Alternatives Assessment](#) tool.

Check out the [National SBEAP](#) website links or contact your [state SBEAP](#) for assistance.

Spotlight

EPA Awards Over \$17 Million to Benefit Small Water Systems

On May 12, 2021, EPA announced over \$17 million in grant funding to help provide training and technical assistance to small drinking water and wastewater systems that often serve small communities and rural America. This funding will improve public health and environmental protection by helping to ensure that drinking water in these communities is safe and that wastewater is treated before being responsibly returned to the environment.

Approximately 97 percent of the nation's 145,000 public water systems serve fewer than 10,000 people. More than 80 percent of these systems serve fewer than 500 people. Many small systems face unique challenges—including aging infrastructure and workforce—in providing reliable drinking water and wastewater services that meet federal and state regulations. Recipients of the grant awards will offer technical assistance to small public water systems to achieve and maintain compliance with regulations. This technical assistance may include circuit-rider and multi-state regional technical assistance programs, training and site visits, as well as training or technical assistance to diagnose and troubleshoot system operational and compliance-related problems and identify solutions.

EPA anticipates that it will award grants to the following recipients once all legal and administrative requirements are satisfied: Rural Community Assistance Partnership; National Rural Water Association; and the University of New Mexico. For more information, visit: epa.gov/dwcapacity/training-and-technical-assistance-small-systems-funding. [Read the full press release](#).

The U.S. Environmental Protection Agency, Department of Defense, and State Partners Announce Winners of International Challenge Seeking Innovative Ways to Destroy PFAS in Firefighting Foam

On May 13, 2021, EPA announced the winners of the *Innovative Ways to Destroy PFAS* (per- and polyfluoroalkyl substances) *Challenge*, a partnership between federal and state agencies focused on identifying ways to destroy PFAS in concentrated aqueous film forming foam (AFFF), a type of firefighting foam. This Challenge is part of the Agency's efforts, including Administrator Regan's new "EPA Council on PFAS," to better understand and ultimately reduce the potential risks caused by these chemicals.

Challenge winners include:

- *First Place* (\$40,000 prize):

- Dr. Brian Pinkard of Aquagga Inc., for a hydrothermal processing concept using high-temperature and high-pressure water to dispose of PFAS-contaminated waste onsite that may be potentially applicable for AFFF.
- *Second Place (\$10,000 prize each):*
 - Dr. Denise Kay and Meng Wang of the Ramboll Group in Denmark and Dr. Cheng Gu of Nanjing University in China for their concept to use ultraviolet light and non-toxic additives to destroy PFAS.
 - Dr. Sarah (Xiao) Wu of the University of Idaho, for her concept using a continuous flow liquid-phase plasma discharge process to destroy PFAS in AFFF.

EPA collaborated on this challenge with the U.S. Department of Defense's Strategic Environmental Research and Development Program (SERDP) and Environmental Security Technology Certification Program (ESTCP); the Environmental Council of the States (ECOS) and the Environmental Research Institute of the States (ERIS); Michigan Department of Environment, Great Lakes & Energy (EGLE); and the Colorado Department of Public Health & Environment (CDPHE).

All submissions were evaluated by EPA scientists and key representatives from the Department of Defense. ECOS/ERIS, Michigan EGLE and CDPHE also had the opportunity to provide state-level insight for finalists. Challenge winners will have the opportunity to submit their winning design concepts to DoD's SERDP/ESTCP programs for further testing. To learn more about the Innovative Ways to Destroy PFAS Challenge, visit: epa.gov/innovation/innovative-ways-destroy-pfas-challenge. For more information on PFAS, visit: epa.gov/pfas. For more information about EPA's PFAS Research, visit: epa.gov/chemical-research/research-and-polyfluoroalkyl-substances-pfas. [Read the full press release.](#)

Air Pollution Trends Continue to Link Clean Air and Strong Economy

EPA released its annual interactive report tracking America's progress in controlling air pollution since the passage of the Clean Air Act in 1970. "Our Nation's Air: Trends Through 2020" documents the work EPA and its state, Tribal, community, and industry partners have done to achieve improvements in outdoor air quality across the country.

EPA examines long-term trends to track the nation's progress toward clean air. The report shows that, between 1970 and 2020, the combined emissions of six key pollutants dropped by 78 percent, while the U.S. economy remained strong – growing 272 percent over the same time. In addition, national average concentrations of harmful air pollutants decreased considerably across our nation between 1990 and 2020.

The report includes interactive graphics that enable citizens, policymakers, and stakeholders to view and download detailed information by pollutant, geographic location and year. Explore the report and download graphics and data here: <https://gispub.epa.gov/air/trendsreport/2021>. [Read the press release.](#)

Share with the small business community through EPA's SmallBiz@EPA Bulletin

Do you have a story, upcoming event, resource, or information that may be beneficial to the small business community? Please email us at asbo@epa.gov to provide a brief submission with a suggested title, your contact information, and a website link for more information on the topic.



EPA Asbestos and Small Business Ombudsman Program

1200 Pennsylvania Avenue, N.W.

Mail Code: 1230A

Washington, D.C. 20460

Hotline: 800-368-5888

Email: asbo@epa.gov

Website: epa.gov/resources-small-businesses/asbo