



# SmallBiz@EPA

EPA's Asbestos and Small Business Ombudsman Program

A monthly newsletter for the regulated small business community

November 2022

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## Policy & Regulation

### **EPA Seeks Public Input on Inflation Reduction Act's Greenhouse Gas Reduction Fund**

EPA recently announced plans for an ambitious stakeholder engagement series to gather input from the public on the design of the new Greenhouse Gas Reduction Fund. This unprecedented program, created by President Biden's Inflation Reduction Act, will make \$27 billion available in financing and technical assistance for projects that reduce emissions and air pollution, with an emphasis on low-income and disadvantaged communities. Provide written feedback to the agency by responding to the Request for Information (RFI) by December 5, 2022. [Read the full press release.](#)

### **Biden Administration Continues Phasedown of Super-Pollutants to Combat Climate Change and Boost U.S. Manufacturing**

On October 20, 2022, EPA announced additional actions to phase down climate-damaging hydrofluorocarbons (HFCs), a crucial component of President Biden's ambitious agenda to combat the climate crisis while advancing American manufacturing and innovation. EPA today issued a proposed rule to implement the next step of the nation's HFC phasedown, an ambitious 40% reduction below historic levels starting in 2024.

EPA is planning to issue additional proposed rules regarding HFCs under the American Innovation and Manufacturing Act. The next proposed rule will focus on transitioning away from HFCs in the refrigeration and air conditioning, foams, and aerosols sectors. The refrigeration and air conditioning sector uses the most HFCs in the United States. [Read the full press release](#)

### **National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters**

This action finalizes amendments to the national emission standards for hazardous air pollutants (NESHAP) for major sources from new and existing industrial, commercial, and institutional (ICI) boilers and process heaters. Certain aspects of these standards were challenged and subsequently remanded to the Agency by the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit).

This action finalizes amendments to several numeric emission limits for new and existing boilers and process heaters consistent with the court's opinion and sets compliance dates for these new emission limits. This action also provides further explanation of one aspect of the Agency's use of carbon monoxide (CO) as a surrogate for organic hazardous air pollutants (HAP) and its use of a CO threshold to represent the application of the maximum achievable control technology (MACT) for organic HAP. EPA is also finalizing several technical clarifications and corrections.

This final rule is effective on December 5, 2022. The incorporation by reference (IBR) of certain material listed in the rule is approved by the Director of the Federal Register as of October 6, 2022. [Read the final rule in the Federal Register](#)

## **EPA Announces Innovative Effort to Bring New Chemicals Used in Electric Vehicle, Semiconductor, Clean Energy Sectors to Market**

On October 5, 2022, EPA announced a new effort under the Toxic Substances Control Act (TSCA) to implement a streamlined and efficient process under the New Chemicals Program to assess risk and apply mitigation measures, as appropriate, for new chemicals with applications in batteries, electric vehicles, semiconductors and renewable energy generation.

Under TSCA, EPA's New Chemicals Program plays an important role by reviewing all new chemical substances before they enter the marketplace in order to bring innovative chemistries to market in a way that does not harm human health or the environment.

The announcement is supplemented with the release of a [Compliance Advisory](#) that reaffirms that new mixed metal oxides (MMOs), which includes cathode active materials (CAMs) and modified CAMs, are new chemical substances subject to TSCA. Anyone who plans to manufacture (including import) a CAM or modified CAM that is not on the TSCA Inventory must comply with the TSCA section 5 new chemical requirements and implementing regulations. [More information about EPA's review of new chemicals and MMOs. Read the press release](#)

## **Proposed Reconsideration of Fugitive Emissions Rule**

EPA proposed revisions to the Clean Air Act's New Source Review (NSR) permitting regulations. This action would require facility owners/operators of all existing industrial facilities considered "major sources" to include "fugitive" emissions of air pollutants when determining whether a physical or operational change at their facility is a "major modification" which would need a major NSR permit before starting construction. The permit would include required emission control measures to ensure that changes at the facility would not degrade air quality. "Fugitive emissions" are emissions that could not reasonably pass through a stack, chimney, vent, or similar opening. [Read the press release](#)

## **Key Dates and Upcoming Opportunities**

### **Request for Information - IRA Provisions for Office of Air and Radiation Implementation**

Through President Biden's Inflation Reduction Act (IRA), the U.S. Environmental Protection Agency (EPA) has received an historic amount of funding to leverage expertise and existing programs, as well as to set up and execute new programs. These programs, which include funding for air quality and climate projects

addressing clean energy, transportation, methane emissions, and climate super-pollutants, implemented by EPA's Office of Air and Radiation will advance the President's bold agenda to combat the climate crisis, protect public health and advance environmental justice.

EPA is seeking initial public engagement and input on a subset of new and existing programs to deliver substantial emissions reductions to tackle climate change, improve public health, and reduce pollution in overburdened communities. There is now a Request for Information (RFI) seeking public comment on a set of non-regulatory dockets to collect responses to a [range of questions](#). EPA encourages all written feedback about the program to be submitted in response to the RFI. For questions, please contact [IRAOARDocket@epa.gov](mailto:IRAOARDocket@epa.gov) or go to [EPA's webpage](#) for more information.

## **EPA Announces \$53 Million for 132 Community Air Pollution Monitoring Projects Across the Nation**

On November 3, 2022, the U.S. Environmental Protection Agency (EPA) announced that 132 air monitoring projects in 37 states will receive \$53.4 million from President Biden's Inflation Reduction Act and American Rescue Plan to enhance air quality monitoring in communities across the United States. The projects are focused on communities that are underserved, historically marginalized, and overburdened by pollution, supporting President Biden's Justice40 Initiative.

The air pollution monitoring projects are made possible by more than \$30 million in Inflation Reduction Act funds, which supplemented \$20 million from the American Rescue Plan and enabled EPA to support 77 additional projects, more than twice the number of projects initially proposed by community-based nonprofit organizations, state and local governments, and Tribal governments. More than \$4 million will be awarded to communities visited by EPA Administrator Michael Regan during his first Journey to Justice tour. [Read the full press release](#).

## **Biden-Harris Administration Will Double Clean School Bus Rebate Awards to Nearly \$1 Billion**

On September 29, 2022, EPA announced it would nearly double the funding awarded for clean school buses this year following increased demand, with school districts from all 50 states applying for the 2022 Clean School Bus Rebates. This is the first round of funding from the EPA Clean School Bus Program, which President Biden's Bipartisan Infrastructure Law created with a historic \$5 billion investment for low- and zero-emission school buses over the next five years.

EPA will move swiftly to review applications submitted and expects to issue a robust slate of awards next month. EPA is also designing the next round of program funding to launch in the coming months, which will include an ambitious grant competition. Through future rounds of funding, EPA will make available another \$1 billion for clean school buses in Fiscal Year 2023.

The reduction in greenhouse gas emissions from these bus replacements will also help to address the outsized role of the transportation sector in fueling the climate crisis. School districts can save money by upgrading their fleets.

This is the first of several funding opportunities for the multi-year Clean School Bus Program. EPA anticipates running both a grant competition and another rebate program in 2023. The agency encourages school districts not selected in the first round of rebates – and those that did not apply this

funding cycle – to participate in future rounds. For more information, visit the [EPA Clean School Bus Program website](#). [Read the press release](#)

## Prepare for an EPA Grant Application

How can you prepare now for a grant application before a Notice of Funding Opportunity is posted? There are things you can do now to start the process if you know you are interested in applying for a grant from EPA. Every potential applicant will want to make sure they are registered with the federal government to apply for and potentially receive a grant. Both [Sam.gov](#) and [Grants.gov](#) are part of that process and it can take a month or more to finalize so you want to start now. There is help if you need it. [Go to EPA's RCRA site to learn more.](#)

## Ask SBEAP

Dear SBEAP,

We're trying to plan some sustainability initiatives for our facility but are struggling to find information on projects we know will work for us. We'd be more comfortable investing the time, effort and money into something tested and proven practical for a facility similar to ours, but so many resources seem to be aimed at larger companies. Can you recommend anything for smaller operations?

Sincerely,  
Susie Sustainability

Dear Susie,

[National SBEAP](#) has a collection of [sustainability-related case studies](#) for a variety of industry sectors and almost all of them are tailored for projects completed by small businesses. These listings can be applied to a wide range of industries and include energy-efficiency initiatives and recycling programs. You can even find industry-specific strategies such as replacements for cleaning solvents that can reduce your facility's regulated air emissions. EPA also hosts [several sustainability resources](#). Remember, in addition to the resources described above, your [state Small Business Environmental Assistance Program, or SBEAP](#), may also be able to identify additional resources. SBEAPs typically provide free, confidential environmental compliance assistance, but many have experience helping small businesses identify efficiencies that can save money and reduce regulatory burden. Find your [state SBEAP](#) contact by clicking on your state or calling 800-578-8898.

## Spotlight

### EPA Launches New Online Tools to Provide Communities with Information on Environmental Enforcement and Compliance

On October 3, 2022, EPA announced two new online tools available to the public that provide additional information on environmental enforcement and compliance in their communities. Through improved transparency, advanced technologies and community participation, these tools empower the public to help EPA assure compliance nationwide and protect public health and the environment.

For more information about the Environmental Justice metrics integrated with ECHO and the Benzene Fence-line Monitoring Dashboard [Read the press release](#)

## Three Organizations in Region 7 Selected to Receive Funding for Environmental Education from EPA

EPA announced the selection of three organizations in Kansas and Missouri to receive funding for projects through the Environmental Education (EE) Grants Program. The Kansas Association for Conservation and Environmental Education (KACEE), Kansas City Community Gardens (KCCG), and South-Central Ozark Council of Governments (SCOCG) in Missouri are among 34 organizations across the nation selected to receive funding through the EE Grants Program.

Funding will range between \$50,000 and \$100,000 to provide environmental education activities and programs. Since 1992, EPA has distributed between \$2 million and \$3.5 million in EE grant funding each year, for a total of over \$88.3 million supporting more than 3,890 projects. The program traditionally provides financial support for projects that design, demonstrate or disseminate environmental education practices, methods or techniques. Learn more about the EE program.

To [learn more](#) about current and past awardees, or to apply for future EE grant competitions, visit [EPA's website](#), which will be updated as additional grants are awarded. [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](mailto: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.

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