

# SMALLBIZ@EPA

EPA's Asbestos and Small Business Ombudsman Program

A MONTHLY NEWSLETTER FOR THE REGULATED SMALL BUSINESS COMMUNITY

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## POLICY AND REGULATION

### **Automobile and Light-Duty Truck Surface Coating Operations: New Source Performance Standards (NSPS)**

This rule establishes standards of performance to limit emissions of volatile organic compound (VOC) emissions from new, modified, and reconstructed automobile and light duty truck surface coatings operations. These standards implement section 111 of the Clean Air Act (CAA) and are based on the Administrator's determination that automobile and light-duty truck surface coating operations within assembly plants contribute significantly to air pollution, which may reasonably be anticipated to endanger public health or welfare.

EPA conducted a review of the standard, as required by CAA section 111(b)(1)(B) and determined there are VOC emission reduction techniques used in practice that achieve greater reductions than those required by the current standard. EPA is proposing these VOC emission reduction techniques to help reduce ambient concentrations of ground level ozone and increase compliance with the National Ambient Air Quality Standards (NAAQS) for ozone. [Read the rule summary](#)

## **Plywood and Composite Wood Products Manufacture: National Emission Standards for Hazardous Air Pollutants (NESHAP)**

The National Emissions Standards for Hazardous Air Pollutants (NESHAP) for plywood and composite wood products were originally proposed in 2003 and promulgated in 2004. In these actions, the EPA identified acetaldehyde, acrolein, formaldehyde, methanol, phenol, and propionaldehyde as the main pollutants emitted from this sector. In 2007, the United States Court of Appeals for the District of Columbia Circuit vacated some of the provisions in the NESHAP that created and delisted a low-risk subcategory of the plywood and composite wood product facilities.

On May 18, 2023, the EPA proposed amendments to the NESHAP for Plywood and Composite Wood Products (PCWP), as required by the Clean Air Act (CAA) and held a virtual public hearing on June 2, 2023. Learn more about the [rule history and next steps in the proposed rulemaking](#).

## **EPA Proposed New Carbon Pollution Standards for Fossil Fuel-Fired Power Plants to Tackle the Climate Crisis and Protect Public Health**

On May 11, 2023, EPA proposed new carbon pollution standards for coal and natural gas-fired power plants that will protect public health, reduce harmful pollutants and deliver up to \$85 billion in climate and public health benefits over the next two decades.

As required by section 111 of the Clean Air Act (CAA), these proposed standards and emission guidelines reflect the best system of emission reduction (BSER) that has been demonstrated to improve the emissions performance of the sources, taking into account costs, energy requirements, and other factors. In developing these proposed carbon pollution standards, EPA considered a range of technologies including carbon capture and storage (CCS), utilizing low-greenhouse gas (GHG) hydrogen, and adopting highly efficient generation technologies. [Read the press release](#)

EPA is proposing five separate actions under section 111. EPA is proposing revised new source performance standards (NSPS), first for GHG emissions from new fossil fuel-fired stationary combustion turbine electric generating units (EGUs) and second for GHG emissions from fossil fuel-fired steam generating units that undertake a large modification, based upon the 8-year review required by the CAA. Third, EPA is proposing emission guidelines for GHG emissions from existing fossil fuel-fired steam generating EGUs, which include both coal-fired and oil/gas-fired steam generating EGUs. Fourth, EPA is proposing emission guidelines for GHG emissions from the largest, most frequently operated existing stationary combustion turbines and is soliciting comment on approaches for emission guidelines for GHG emissions for the remainder of the existing combustion turbine category. Finally, EPA is proposing to repeal the Affordable Clean Energy (ACE) Rule. [Read the proposed rules in the Federal Register](#)

EPA held virtual public hearings on June 13, 14 and 15, 2023, to provide the public the opportunity to present comments and information regarding the Agency's proposal for carbon pollution standards for fossil fuel-fired power plants. EPA will take [written comments on the proposal](#) until July 24, 2023.

### **National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing Amendments.**

EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing Plants, as required by the Clean Air Act (CAA). To ensure that all emissions of hazardous air pollutants (HAP) from sources in the source category are regulated, the EPA is proposing emission standards for mercury. In addition, the EPA is proposing to revise the existing emission standards for hydrogen chloride and hydrogen fluoride. Comments must be received on or before June 29, 2023. [Read the proposed rule in the Federal Register](#)

### **EPA Announces Latest Action to Protect Communities from Coal Ash Contamination**

On May 17, 2023, EPA announced the latest action to protect communities and hold polluters accountable for controlling and cleaning up the contamination created by the disposal of coal combustion residuals (CCR or coal ash), which can cause serious public health risks and leak into groundwater. The Agency issued a proposed rule that would require the safe management of coal ash dumped in areas that are currently unregulated

at the federal level. This includes inactive power plants with surface impoundments that are no longer being used and historical coal ash disposal areas at power plants with regulated coal ash units. Because this proposal applies to legacy contamination or inactive units that no longer support current power plant operations, it is not expected to affect current power plant operations. [Read the press release](#)

## **Report on the Regulatory Flexibility Act, Fiscal Year 2022**

As the voice of small business in government, the U.S. Small Business Administration's Office of Advocacy is working diligently to bring small businesses' voices into the regulatory process. Advocacy's efforts at ensuring federal agency compliance with the Regulatory Flexibility Act (RFA) resulted in ongoing conversations and changes to rules that reduced the regulatory burden for small businesses.

Advocacy's "Report on the Regulatory Flexibility Act, FY 2022," provides details on those efforts. In FY 2022, Advocacy submitted 37 formal comment letters to regulatory agencies, representing significant efforts by the office to serve as a watchdog for the RFA. [Read the FY 2022 Report on the RFA](#)

## **Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule**

EPA is proposing additional amendments to the Greenhouse Gas Reporting Rule, including updates to the General Provisions to reflect revised global warming potentials, and is proposing to require reporting of greenhouse gas data from additional sectors—specifically energy consumption; coke calcining; ceramics production; calcium carbide production; and caprolactam, glyoxal, and glyoxylic acid production.

Review the proposed rulemaking and provide comments by July 21, 2023. [Read the rule in the Federal Register](#)

## **Release of the Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen, Oxides of Sulfur and Particulate Matter-External Review Draft**

EPA will make available for public comment the draft document, Draft Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen, Oxides of Sulfur and Particulate Matter—External Review Draft (PA).

This draft document was prepared as a part of the current review of the Secondary National Ambient Air Quality Standards (NAAQS) for Oxides of Nitrogen, Oxides of Sulfur and Particulate Matter. When final, the PA serves to “bridge the gap” between the currently available scientific and technical information and the judgments required of the Administrator in determining whether to retain or revise the existing secondary NO<sub>2</sub>, SO<sub>2</sub> and PM NAAQS. The secondary NAAQS for oxides of nitrogen, oxides of sulfur and particulate matter are set to protect the public welfare from known or anticipated effects of these pollutants in the ambient air. Comments should be received on or before July 31, 2023. [Read the notice in the Federal Register](#)



## **KEY DATES AND OPPORTUNITIES**

### **EPA Tools & Resources Webinar: Chemical Risk Assessment for PFAS**

On Wednesday, June 21, 2023, from 3:00-4:00 pm ET, EPA’s Office of Water will discuss the current work related to assessing risk due to the presence of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) in biosolids. The presentation will cover the regulatory context through which EPA regulates chemical contaminants in biosolids, a brief overview of PFAS monitoring, and actions that have occurred in the states. This will be followed by a discussion of the exposure assessment framework EPA has developed to evaluate impacts from biosolids through ingestion of drinking water, crops, milk, and meat and how that framework may be implemented for PFOA and PFOS. [Register for the webinar here](#)



## **ASK SBEAP**

*Dear Ask SBEAP:*

*I am a small business owner, and my energy costs have been going up for a couple of years now. Are there any resources available to help me manage my energy use and reduce my expenses?*

*Sincerely, Meg Watts*

Dear Meg,

Managing energy use can sometimes feel daunting, with so many devices, appliances and systems using energy in a building. Thankfully, the EPA's [ENERGY STAR](#) program has the tools and resources available to assist business owners in managing energy use and developing a plan to improve energy efficiency. Increasing energy efficiency at your small business is one of the quickest and least expensive solutions to save energy and money while also contributing to cleaner air by reducing greenhouse gas, or GHG, emissions. In 2021, the [U.S. industrial sector accounted for 30% of the total U.S. GHG emissions](#) (including electricity use).

The [ENERGY STAR Action Workbook for Small Business](#) will guide you through the process to evaluate the current energy performance, identify low- or no-cost opportunities to increase energy efficiency, and understand your energy consumption's impact on the climate and environment. One of the first steps to saving energy is to benchmark your facility in [ENERGY STAR's Portfolio Manager database](#) to understand how your building's performance compares to similar buildings nationwide. Portfolio Manager makes it easy to assess your building's energy performance and environmental impact with an ENERGY STAR score (1-100) and a GHG emissions calculator. If you have the need to purchase new equipment, ensure that it is an [ENERGY STAR Certified product](#). Purchasing equipment with the ENERGY STAR label means that product has met strict energy-efficiency specifications set by the EPA, helping you reduce energy use and expenses, while simultaneously protecting the environment. When shopping for new equipment, don't forget to look for [rebates](#) and [tax incentives](#) to reduce the purchase cost of implementing energy efficient technology and practices. Whether you own the facility or are a tenant, ENERGY STAR has the tools and resources to help you improve the energy efficiency of your business and reduce its climate impact.

In addition to regulatory compliance information, you can find similar resources on the [National SBEAP](#) website's [Small Business Sustainability](#) resource page. Your [state SBEAP](#) office may be able to provide state-specific energy information or incentive programs. As always, feel free to contact us at [info@nationalsbeap.org](mailto:info@nationalsbeap.org) or 800-578-8898 if you need additional assistance.



## SPOTLIGHT

### **EPA Releases Annual Air Report, Highlighting Trends Through 2022**

EPA released its annual interactive report tracking America's progress in controlling air pollution. "Our Nation's Air: Trends Through 2022" offers readers an opportunity to learn about the health and environmental impacts of air pollution; track trends in air quality and emissions data; explore efforts to improve visibility in treasured national parks; and explore community-level health impacts of air toxics emissions reported for 2020.

The report spotlights the projects selected as part of EPA's Enhanced Air Quality Monitoring Competitive Grants, providing information for each project as of November 2022 when selections were announced. These funds will enhance air quality monitoring in communities across the United States – particularly those that are underserved, historically marginalized, and overburdened by pollution. [Read the press release](#)

### **Environmental Compliance History Database Continues Upgrades Through Introduction of Clean Air Tracking Tool**

On May 31, 2023, EPA released the ECHO Clean Air Tracking Tool (ECATT), which serves as an interface and repository for Clean Air Act data that can be used to evaluate emissions at stationary sources of air pollution and analyze general air quality for the United States. ECATT is the first EPA tool to integrate data from multiple emissions inventories with enforcement and compliance data, Environmental Justice data, facility industry classifications, air monitoring station data, toxic risk data, and Clean Air Act program classifications. [Read the press release](#)

Watch the [short video tutorial](#) to help users navigate the ECATT or watch the recording of the ECHO Clean Air Tracking Tool training [here](#).



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