

SMALLBIZ@EPA

EPA's Asbestos and Small Business Ombuds Program

A MONTHLY NEWSLETTER FOR THE REGULATED SMALL BUSINESS COMMUNITY

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EPA's Small Business Ombudsman Support

Have a question about a SmallBiz@EPA article or EPA press release? Need help getting to the best regulatory contact, web information, or have a small business item to add to SmallBiz@EPA? Contact the [ASBO Program](#) through our live hotline service (M-F, 8:30AM – 4:30PM ET) or via [email](#). We're here to help with your small business compliance/enforcement questions and general asbestos concerns.

Contact Us



ASBO Hotline: 800-368-5888



Email: asbo@EPA.gov



POLICY AND REGULATION

EPA Announces Pause to Iron and Steel Manufacturing Facility Air Regulations

On March 31, 2025, the EPA announced it is staying compliance provisions for the *National Emissions Standards for Hazardous Air Pollutants: Integrated Iron and Steel*

Manufacturing Facilities Technology Review for 90 days. The regulation, which applies to hazardous air pollutant emissions from iron and steel manufacturing facilities, was originally published on April 3, 2024. EPA will also be publishing a reconsideration of the rule and asking for public comment on a number of issues. **All April 3, 2025, deadlines in the original rule are now extended until July 1, 2025.** [Read more on the regulation deadline extension or to make a public comment.](#)

EPA Announces It Will Keep Maximum Contaminant Levels for PFOA, PFOS

On May 14, 2025, EPA Administrator Lee Zeldin announced the agency will keep the current [National Primary Drinking Water Regulations \(NPDWR\) for perfluorooctanoic acid \(PFOA\) and perfluorooctane sulfonic acid \(PFOS\)](#), which set nationwide limits for these “forever chemicals” in drinking water. The agency is committed to addressing Per- and Polyfluoroalkyl substances (PFAS) in drinking water while following the law and ensuring that regulatory compliance is achievable for drinking water systems. [Read more on the PFAS announcement in the press release.](#)

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Data Reporting and Recordkeeping Under the Toxic Substances Control Act (TSCA); Change to Submission Period

EPA is amending the data submission period for the Toxic Substances Control Act (TSCA) PFAS reporting rule by changing the start date for submissions and making corresponding changes to the end dates for the submission period, *i.e.*, the data submission period begins on April 13, 2026, and ends on October 13, 2026, with an alternate end date for small manufacturers reporting exclusively as article importers of April 13, 2027. This interim final rule became effective on May 13, 2025. [Read more on the interim rule in the Federal Register or to make a public comment.](#)

Methylene Chloride; Regulation Under the Toxic Substances Control Act (TSCA); Compliance Date Extensions

EPA is proposing to extend the compliance date applicable to certain entities subject to the regulation of methylene chloride recently promulgated under the Toxic Substances Control Act (TSCA). Specifically, EPA is proposing to extend by 18 months the Workplace Chemical Protection Program (WCPP) and the associated recordkeeping compliance dates for laboratories that are not owned or operated by agencies or Federal contractors acting on behalf of the Federal government. **Comments must be received on or before June 26, 2025.** [Read more on the proposed rule in the Federal Register.](#)

Hydrogen Fluoride; TSCA Section 21 Petition for Rulemaking Under TSCA Section 6; Reasons for Agency Response; Denial of Requested Rulemaking

This action announces the availability of the EPA's response to a petition received on February 11, 2025, from the Clean Air Council, Communities for a Better Environment, and Natural Resources Defense Council (petitioners). The petition requests that EPA establish a TSCA rule prohibiting the use of hydrogen fluoride (HF) in domestic oil refining to eliminate unreasonable risks to public health and the environment. After careful consideration, EPA has denied the TSCA petition for the reasons set forth in this notice. EPA's response to this TSCA section 21 petition was signed May 9, 2025. [Read the agency's response in the Federal Register.](#)

Recent Postings of Broadly Applicable Alternative Test Methods

This notice announces the broadly applicable alternative test method approval decisions that the EPA made under and in support of New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) between January 1, 2024, and December 31, 2024. [Read more about EPA's decisions in the notice in the Federal Register.](#)

EPA Proposes Approval of North Dakota Coal Ash Permit Program

EPA proposed to approve North Dakota's coal combustion residuals (CCR or coal ash) program application, which would allow the state rather than the Federal government to manage coal ash disposal in surface impoundments and landfills. EPA is accepting public comments on this approval proposal for 60 days. During this comment period, EPA will hold a public hearing on July 8 for interested parties to present information and remarks about the proposal. [Read more on the coal ash permit program in the press release.](#)



KEY DATES AND OPPORTUNITIES

EPA Announces \$30 Million in Grant Funding to Strengthen Drinking Water and Wastewater Management in Rural America

On May 20, 2025, EPA announced \$30.7 million in grant funding to provide training and technical assistance that will improve water quality in small and rural communities across the country. This support helps ensure that every American has access to clean

and safe water and advances the goals of Administrator Lee Zeldin's "Powering the Great American Comeback" initiative. [Read more on the drinking water grants in the press release.](#)

EPA's Flood Cleanup Resources: Promoting Community Resilience through Risk Communication Webinar

Interested members of the public are invited to attend an EPA webinar, "Flood Cleanup Resources: Promoting Community Resilience through Risk Communication," to learn more about available resources to help recover and clean up your business and community after a flood. This webinar is free and open to the public from 3-4pm ET on June 18, 2025. [Register to attend the June 18 webinar.](#)



Dear SBEAP:

Our small business uses and replaces rechargeable lithium-ion batteries in power tools, lighting and handheld equipment. We've heard these batteries are considered hazardous waste when disposed. Is this true?

Sincerely, Battery Bill

Dear Bill,

It depends. Lithium batteries can be dangerous when damaged or mishandled due to their high energy density and chemical content, and as a result, the EPA states in its [RCRA Online Document #14957](#) that "most lithium-ion (secondary batteries) and lithium primary batteries in use today are likely to be hazardous waste due to ignitability and reactivity (D001 and D003)." Note that the EPA states "most" lithium batteries are "likely" hazardous waste. As the waste generator, it is ultimately your responsibility to determine which of your wastes are hazardous waste. This is done via the [waste determination process](#) (see [40 CFR 261](#) and [40 CFR 262.11](#)), which asks:

- Is the material in question a solid waste?
- Is the material excluded from the definition of solid waste or hazardous waste?
- Is the waste a listed or characteristic hazardous waste?
- Is the waste delisted?

This process can be relatively straightforward for certain waste streams but challenging and costly for others. The EPA recognizes this concern, stating that “it can be difficult for a generator to identify which of its used lithium batteries are hazardous waste when disposed. Therefore, the EPA recommends that businesses consider managing all of their used lithium batteries as hazardous waste under the federal ‘universal waste’ regulations in [Title 40 of the Code of Federal Regulations \(CFR\) part 273.](#)”

Waste that meets the definition of hazardous waste must be managed as hazardous waste, while waste that does not meet the definition of hazardous waste does not need to be managed as hazardous waste unless declared to be hazardous waste by the waste generator.

See the EPA’s used [lithium-ion batteries webpage](#) and [lithium-ion battery recycling FAQ](#) for additional information and remember to consult your state-specific regulations as some may be stricter than federal RCRA requirements. Your state Small Business Environmental Assistance Program (SBEAP) may be able to help. To find your SBEAP, visit the [National SBEAP state contact map](#) or call 800-578-8898.



EPA’s FY 2026 President’s Budget in Brief

The [President’s FY 2026 discretionary budget request blueprint](#) includes resources to advance the EPA’s core mission work and power the [Great American Comeback](#).

The FY 2026 Budget in Brief and Congressional Justification (coming soon) provides additional details on the EPA’s FY 2026 budget request. [Read the FY 2026 EPA Budget in Brief \(pdf\)](#).

EPA Announces Next Phase of Organizational Improvements to Better Integrate Science into Agency Offices, Deliver Clean Air, Land, and Water to All Americans

On May 2, 2025, EPA announced the next phase of organizational improvements to the agency to better provide clean air, water, and land for all Americans. EPA is creating the first-of-its-kind Office of State Air Partnerships within the Office of Air and Radiation and the Office of Clean Air Programs that will align statutory obligations and mission essential functions based on centers of expertise to ensure more transparency and harmony in regulatory development. Similarly, changes to the Office of Water will better align the development of regulations, guidance, and policy with the science that

underpins it. In this reorganization, the agency is shifting its scientific expertise and research efforts to program offices to tackle statutory obligations and mission-essential functions. This includes the creation of the Office of Applied Science and Environmental Solutions (OASES) in the Office of the Administrator to align research and put science at the forefront of the agency's rulemakings and technical assistance to states. [Read more on the agency's organizational changes in the press release.](#)

Administrator Zeldin Releases Statement on Make America Healthy Again Commission Report

On May 22, 2025, EPA Administrator Lee Zeldin released the following statement on the Make America Healthy Again (MAHA) Commission report:

"America's childhood chronic disease crisis will be solved through innovation. At EPA, we will do our part to protect human health and the environment while fulfilling all of our statutory obligations to safely regulate chemicals needed for every part of modern life to transport, build, feed, and power the Great American Comeback. This report shows America will continue to be the energy, industrial, and agricultural power of the world – and we can continue this while ensuring we have the healthiest children."

While the MAHA Commission is chaired by the U.S. Department of Health and Human Services, it also includes EPA, U.S. Department of Agriculture, U.S. Department of Housing and Urban Development, U.S. Department of Education, U.S. Department of Veterans Affairs, Office of Management and Budget, U.S. Food and Drug Administration, U.S. Centers for Disease Control and Prevention, National Institutes of Health, and additional members of the Trump Administration. [Read more on the Administrator's statement in the press release.](#)

EPA Reaches Settlement with the Scranton, Pa., School District for Alleged Asbestos-Related Violations

On May 6, 2025, EPA announced a settlement to resolve alleged violations of the Asbestos Hazard Emergency Response Act with the Scranton, Pa., public school district. EPA alleges the school district failed to include all required elements in the asbestos management plans for 15 schools and to maintain complete, updated copies of the asbestos management plans for 19 schools in its administrative office and in the administrative offices of those schools. Under the terms of this settlement, the district has agreed to demonstrate compliance with the relevant regulations in all of its school buildings and submit a certification of compliance. The Asbestos Hazard Emergency Response Act is the section of the Toxic Substances Control Act that regulates how

educational institutions manage asbestos in school buildings. The law requires public school districts and non-profit schools—including charter schools and schools affiliated with religious institutions—to inspect schools for asbestos, prepare management plans, and take action to prevent or reduce asbestos hazards. [*Read more on the asbestos settlement in the press release.*](#)



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