



SmallBiz@EPA

EPA's Asbestos and Small Business Ombudsman Program

A monthly newsletter for the regulated small business community

April 2022

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What are you doing this year to celebrate Small Business Week? Check out the [Key Dates & Upcoming Opportunities](#) section for announcements on public events coming in May 2022.

Policy & Regulation

EPA Proposes Stronger Standards for Heavy-Duty Vehicles to Promote Clean Air, Protect Communities, and Support Transition to Zero-Emissions Future

On March 7, 2022, EPA proposed new, stronger standards to promote clean air and reduce pollution from heavy-duty vehicles and engines starting in model year (MY) 2027. The proposed standards would reduce emissions of smog-and soot-forming nitrogen oxides (NOx) from heavy-duty gasoline and diesel engines and set updated greenhouse gas (GHG) standards for certain commercial vehicle categories. This proposed rule would ensure the heavy-duty vehicles and engines that drive American commerce and connect people across the country are as clean as possible while charting a path to advance zero-emission vehicles in the heavy-duty fleet.

This action is the first step in EPA's "Clean Trucks Plan" – a series of clean air and climate regulations that the Agency will develop over the next three years to reduce pollution from trucks and buses and to advance the transition to a zero-emissions transportation future. EPA's goal is to deliver significant and needed public health benefits by designing a program that sets ambitious standards and that are feasible for the trucking industry after giving appropriate consideration to cost and other factors, while supporting the American economy. To accomplish this, EPA has engaged with stakeholders and identified several options in the proposal that address the robustness of the standards, timing for phasing in the standards, options to incentivize early clean technology adoption, and improvements to emissions warranties. EPA is seeking input on these options and looking forward to continuing engagement through the public comment process. [Learn more about the rule and the public comment process.](#) [Read the full press release.](#)

EPA Seeks Input on Revision to Air Emissions Reporting Requirements Rule

EPA announced it is inviting qualified small businesses, governments, and not-for-profit organizations to participate as Small Entity Representatives (SERs) for a Small Business Advocacy Review (SBAR) Panel. This Panel will focus on the Agency's development of proposed revisions to the existing [Air Emissions Reporting Requirements \(AERR\) rule](#) that was last revised and published on February 19,

2015 (80 FR 8787). The proposal may add reporting requirements to gather data about hazardous air pollutants, emissions rate test results from facilities, emissions from facilities in Indian Country that are not currently reporting emissions data, and emissions from small electricity generating units used intermittently, such as to meet demand on high electricity usage days.

The Panel will include federal representatives from the Small Business Administration (SBA), the Office of Management and Budget (OMB), and EPA. The Panel members ask a selected group of SERs to provide advice and recommendations on behalf of their company, government, or organization to inform the Panel members about the potential impacts of the proposed rule on small entities. EPA seeks self-nominations directly from the small entities that may be subject to the rule requirements. Other representatives, such as trade associations that exclusively or at least *primarily* represent potentially regulated small entities, may also serve as SERs. Self-nominations must be received by April 19, 2022: [Nominate yourself as a SER](#). [Read the full press release](#).

National Emission Standards for Hazardous Air Pollutants: Stationary Combustion Turbines; Amendments

EPA finalized amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines. This final action removed the stay of the effectiveness of the standards for new lean premix and diffusion flame gas-fired turbines that was promulgated in 2004. [Read the Federal Register Notice](#).

EPA Proposes “Good Neighbor” Plan to Cut Smog Across Much of the United States

On March 11, 2022, following clear Clean Air Act requirements and meeting a court deadline, EPA is proposing a federal plan that would cut pollution from power plants and industrial sources that significantly contribute to unhealthy levels of ground-level ozone, or smog, for millions of Americans who live downwind. Relying on a longstanding regulatory framework and commonly used, affordable pollution controls, this action would help states fully resolve their Clean Air Act “good neighbor” obligations for the 2015 Ozone National Ambient Air Quality Standards (NAAQS), enhancing public health and environmental protections regionally and for local communities.

This proposal implements the Clean Air Act’s “good neighbor” or “interstate transport” provision, which requires each state to submit a State Implementation Plan (SIP) that ensures sources within the state do not contribute significantly to nonattainment or interfere with maintenance of the NAAQS in other states. Each state must make this new SIP submission within 3 years after promulgation of a new or revised NAAQS.

Where EPA finds that a state has not submitted a good neighbor SIP, or if the EPA disapproves the SIP, EPA must issue a Federal Implementation Plan (FIP) within two years to assure downwind states are protected. EPA is in the process of reviewing and acting on SIP submissions from the relevant states covered by this proposal.

EPA will take comment on the proposed rule for 60 days after it is published in the *Federal Register*. The Agency also will hold a virtual public hearing. [Learn more about the proposed Federal “Good Neighbor” Plan](#). [Read the full press release](#).

EPA Continues to Take Actions to Address PFAS in Commerce

On March 16, 2022, EPA announced two important actions to safeguard communities from products containing Per- and Polyfluoroalkyl Substances (PFAS). First, as part of EPA's effort to identify, understand and address PFAS contamination leaching from fluorinated containers, the Agency is notifying companies of their obligation to comply with existing requirements under the Toxic Substances Control Act (TSCA) to ensure unintentional PFAS contamination does not occur. The Agency will also remove two PFAS from its Safer Chemical Ingredients List (SCIL) following a review of these substances (which were added to that list in 2012). For more details, [read the full press release](#).

EPA Publishes State-Level Greenhouse Gas Emissions Data, Resources to Promote State Action on Climate

On March 8, 2022, EPA released new and updated resources to support states as they work to address the climate crisis and reduce climate pollution. These resources include new state-level data on greenhouse gas emissions (GHG) and sinks, updates to EPA's existing State Inventory Tool to help states compile their own emission and sink estimates, and information on state-level opportunities to reduce emissions of highly potent greenhouse gases.

Many states are working to improve their state-level greenhouse gas data to help identify opportunities to reduce emissions. These new resources from EPA will complement and supplement official state data and provide states more information to identify pathways to reduce highly potent greenhouse gases. EPA's peer-reviewed data sets provide comprehensive, consistent, and comparable data for every state — providing state governments, the public, and stakeholders with high-quality information for policy assessment and development. EPA will also continue providing technical assistance to help states develop inventories of GHG emissions and execute strategies that reduce those emissions.

The data released will also allow researchers and the public to better understand emissions and mitigation potential in their state. While climate change is a national and international issue, states play a vital role in helping advance solutions to reduce greenhouse gas emissions. These data and supporting technical reports draw on data and findings from EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks. EPA works in collaboration with numerous experts from other federal agencies, state agencies, research and academic institutions, and industry associations to compile the Inventory.

- [Explore State-by State greenhouse gas emissions and sinks data](#).
- [Download the latest State Inventory Tool \(Tool\)](#).
- [Explore new State-Level Mitigation of Non-CO2 Potential data](#).
- [Read the full press release](#).

EPA Announces the “Clean Air in Buildings Challenge” to Help Building Owners and Operators Improve Indoor Air Quality and Protect Public Health

As part of [President Biden's National COVID-19 Preparedness Plan](#), released March 3rd, EPA released the “Clean Air in Buildings Challenge,” a call to action and a concise set of guiding principles and actions to assist building owners and operators with reducing risks from airborne viruses and other contaminants indoors. The Clean Air in Buildings Challenge highlights a range of recommendations and resources available to assist with improving ventilation and indoor air quality, which can help to better protect the health of building occupants and reduce the risk of COVID-19 spread.

Key actions outlined in the Clean Air in Buildings Challenge include:

- Create a clean indoor air action plan

- Optimize fresh air ventilation
- Enhance air filtration and cleaning
- Conduct community engagement, communication, and education

This announcement also highlights an array of resources to help building owners and operators meet the Challenge. The document will be made available in Spanish, Chinese Simplified, Chinese Traditional, Vietnamese, Korean, Tagalog, Arabic and Russian. [Learn more about the Clean Air in Buildings Challenge.](#) [Read the full press release.](#)

EPA Releases Final Strategic Plan to Protect Public Health, Address Climate Change, and Advance Environmental Justice and Equity

On March 28, 2022, EPA published its final [Fiscal Year \(FY\) 2022-2026 EPA Strategic Plan](#) to accompany EPA's FY 2023 President's Budget. The Strategic Plan provides a roadmap to achieve EPA's and the Biden-Harris Administration's environmental priorities over the next four years. This Strategic Plan furthers the Agency's commitment to protect human health and the environment for all people, with an emphasis on historically overburdened and underserved communities. For the first time, EPA's final Plan includes a strategic goal focused exclusively on addressing climate change, as well as an unprecedented strategic goal to advance environmental justice and civil rights. At the foundation of the Plan is a renewed commitment to the three principles articulated by EPA's first Administrator, William Ruckelshaus — follow the science, follow the law, and be transparent — while adding an additional fourth principle: advance justice and equity. [Read the press release.](#)

Key Dates and Upcoming Opportunities

National Small Business Environmental Assistance Program (SBEAP) 2022 Annual Training: *Assistance Persistence*

1pm - 4pm ET every Thursday during the month of May (5th, 12th, 19th and 26th)

Pre-registration is required

Please join us for this year's virtual SBEAP Annual Training event, scheduled to take place each Thursday afternoon, from 1-4pm ET in May. This event will provide training, networking, and collaboration opportunities in support of environmental assistance for small businesses across the country. Featured speakers include EPA regulatory experts, small business assistance program specialists, and research scientists. [Review the draft agenda.](#) State SBEAPs, regulators, EPA, small businesses and trade association partners are all welcome to participate. Special thanks to the Nevada SBEAP team for coordinating this year's themed sessions!

SBA's National Small Business Week Virtual Summit: *Building a Better America Through Entrepreneurship*

May 2 – May 5, 2022

The [U.S. Small Business Administration](#) (SBA) announced that registration for its 2022 [National Small Business Week](#) Virtual Summit, "Building a Better America Through Entrepreneurship," is now open. This year's National Small Business Week (NSBW), held May 1-7, 2022, will acknowledge small businesses from across the country for their resilience, ingenuity, and creativity. It will also recognize SBA partners for their involvement in entrepreneurial development, disaster recovery, government contracting, financial development, and overall support for small businesses and entrepreneurship. During National Small Business Week, the SBA will hold its NSBW Virtual Summit from May 2-5, 2022, in co-sponsorship with [SCORE](#). Attendance is free of charge, but [registration is required](#).

EPA Announces Availability of up to \$1.6 Million in Environmental Justice Grants for Tribal Public Participation Project

On March 21, 2022, EPA announced the availability of up to \$1.6 million in [American Rescue Plan \(ARP\)](#) funding to support Tribal government efforts to establish or modify programs on environmental justice, water, and air quality issues. Earlier this year, EPA announced spending plans for the \$100 million in ARP funding appropriated by Congress in response to the COVID-19 pandemic and health outcome disparities, with \$50 million being designated to improve ambient air quality monitoring, and \$50 million designated to address disproportionate environmental or public health harms and risks in underserved communities. Congress made up to \$1.6 million in ARP funding available to Tribes, recognizing the importance of supporting Tribal public engagement programs and related priorities that have been impacted by the COVID-19 pandemic. EPA anticipates awarding 16 to 20 grants nationwide in amounts of up to \$100,000 per award.

EPA is committed to assisting federally recognized Tribes in building capacity to establish public participation, community involvement, education, and communication systems to engage with tribal members and others living on tribal lands, as noted in the [EPA Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples](#). Projects stemming from this Tribal grant opportunity will help achieve the goals of President Biden's Justice40 initiative, which aims to ensure that federal agencies deliver at least 40% of benefits from certain investments to underserved communities.

Applicants interested in this funding opportunity must submit grant proposal packages by May 19, 2022. Applicants should plan for projects to begin on October 1, 2022. To learn more about the pre-application assistance calls and how to apply for funding, visit: [Environmental Justice Small Grants Program](#). [Read the full press release.](#)

EPA Seeks Nominations for the Farm, Ranch, and Rural Communities Federal Advisory Committee

On March 30, 2022, EPA announced a [solicitation for nominations](#) to serve on its Farm, Ranch, and Rural Communities Federal Advisory Committee (FRRCC). Established in 2008, the FRRCC provides independent policy advice, information, and recommendations to EPA's Administrator on a range of environmental issues and policies that are of importance to agriculture and rural communities.

To be considered for an appointment to the FRRCC, nominations should be submitted to FRRCC@epa.gov by May 16, 2022, with the subject line "FRRCC Membership 2022." Nominations should include a résumé or curriculum vitae and a statement of interest. Letters of support and recommendation will be accepted but are not mandatory. [Learn more about the FRRCC nomination process.](#) [Read the full press release.](#)

Ask SBEAP

Dear SBEAP,

I have heard there is a new regulation that may affect my vehicle/engine manufacturing business. How can I learn more about this rule and share my small business perspective with the EPA?

Sincerely,

Dear Mr. Motors,

If you manufacture or repair heavy-duty vehicles and engines, then yes, this rule will likely apply to your small business. The EPA is **proposing** new, more stringent pollution standards on heavy-duty vehicles and engines for model years 2027 and beyond. If implemented, the proposed rule will significantly reduce emissions of smog-and-soot-forming nitrogen oxides (NOx) and set stricter greenhouse gas standards for certain commercial vehicle categories.

Your two questions (how to learn about a regulation, and how to comment on it) have simple answers that apply for each government agency that creates regulations, in this case the EPA. To start, you first go to the government's regulations.gov website, search for the regulation you want to view, then open the docket of the regulation. In this case, the regulation you are interested in is under docket EPA-HQ-OAR-2019-0055. To provide comments during an open comment period, simply click the box on the left frame to view the documents open for comment. This proposed rule was published March 28th and the comment period is open for 60 days.

It is important for small businesses and industry impacted by proposed rules to provide comment and the EPA appreciates learning the various perspectives, especially from small businesses.

If your small business needs help understanding EPA regulations, contact your Small Business Environmental Assistance Program, or SBEAP. Click here to find a map of state contacts or call 800-578-8898 for more information.

Spotlight

New EPA Tool ECHO Notify Provides Timely Notice to All

On March 22, 2022, EPA announced the release of a new web tool, called ECHO Notify, that empowers members of the public to stay informed about important environmental enforcement and compliance activities in their communities. Through ECHO Notify, users can sign up to receive weekly emails when new information is available within the selected geographic area, such as when a violation or enforcement action has taken place at a nearby facility.

ECHO Notify provides information on all EPA enforcement and compliance activities as well as activities of state and local governments under the Clean Air Act (CAA), Clean Water Act (CWA), Resource Conservation and Recovery Act (RCRA), and the Safe Drinking Water Act (SDWA). EPA has prepared a tutorial video that provides an overview of ECHO Notify and explains how to use it. Go to EPA's ECHO Notify page here.

A Word from the North Carolina SBEAP: The ECHNO Notify tool can also be a useful resource for state Small Business Environmental Assistance Programs (SBEAPs) and associations. North Carolina's Small Business Ombudsman, Tony Pendola, PE, uses the tool to identify small businesses that might need compliance assistance, spot patterns within industry sectors, and identify facilities that change permitting categories.

"ECHO Notify is a beneficial, valuable tool for businesses themselves as it can quickly identify errors and violations," said Pendola. "Businesses are encouraged to create a notification for their facilities, so that they are aware of any possible errors that can hinder transactions and renewals, which was the

case for a NC client that was recently unable to renew an insurance policy because of a data entry error identified by ECHO Notify.”

Contact Tony at tony.pendola@ncdenr.gov for more information on how he utilizes this new EPA ECHO Notify tool for SBEAP activities.

EPA’s National Compliance Initiatives: Reducing Air Toxics at Hazardous Waste Facilities

Every three years, EPA selects several topics—areas with serious environmental compliance issues—focusing its enforcement and compliance assurance resources to develop and implement national program priorities, called National Compliance Initiatives (NCIs).

Reducing Hazardous Air Toxic Emissions at Hazardous Waste Facilities

SUMMARY OF THE NCI: This NCI focuses on improving compliance with regulations that control organic air emissions from hazardous waste management units and activities. The Resource Conservation and Recovery Act’s (RCRA) organic air emission standards establish performance, design, operation, monitoring and maintenance requirements and potentially apply to certain process vents, equipment, tanks, containers, and surface impoundments at treatment, storage, and disposal facilities (TSDFs) and large quantity generator (LQG) sites that manage organic hazardous wastes (40 C.F.R. Parts 264 and 265, Subparts AA, BB, and CC).

PROBLEM STATEMENT: Releases from hazardous waste facilities can include releases of constituents known or suspected to cause cancer or birth defects. In addition, leaks from these facilities can contribute to non-attainment with the NAAQS, specifically ground-level ozone. The prior cycle of this NCI (FY 2017-2019) revealed widespread noncompliance related to leaking or open pressure relief valves and tank closure devices, leak detection & repair (LDAR) monitoring, recordkeeping, and numerous other requirements.

COMPLIANCE RESOURCES: To learn more about RCRA Subparts AA, BB & CC visit: [Office of Resource Conservation & Recovery website](#) and their [Resources page](#). For more information on LDAR, see [The LDAR Best Practices Guide](#).

What do I do if I’ve found a violation?

Regulated entities of any size who voluntarily discover, promptly disclose, expeditiously correct, and take steps to prevent recurrence of potential violations may be eligible for a reduction or elimination of any civil penalties that otherwise might apply. Most violations can be disclosed and processed via [EPA’s automated online “eDisclosure” system](#). See also [EPA’s Audit Policy](#) and [New Owner Audit Policy](#). Many states also offer incentives for self-policing; please check with the appropriate state agency for more information.

Disclaimer: This NCI summary addresses select provisions of EPA regulatory requirements using plain language. Nothing in this summary is meant to replace or revise any EPA regulatory provisions or any other part of the Code of Federal Regulations, the Federal Register, or the Resource Conservation and Recovery Act. Additional information is available on the [EPA RCRA Compliance Monitoring and Enforcement websites](#). For more information about this NCI, please visit epa.gov/enforcement/national-compliance-initiative-reducing-hazardous-air-emissions-hazardous-waste.

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.

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