

SMALLBIZ@EPA

A MONTHLY NEWSLETTER FOR THE
SMALL BUSINESS COMMUNITY

EPA'S ASBESTOS AND SMALL BUSINESS OMBUDSMAN

January 2020

Fostering
Partnerships

Improving Advocacy
and Accessibility

Small Business Compliance
Assistance



The EPA Asbestos and Small Business Ombudsman (ASBO) Program serves as an advocate and liaison for small businesses in the rule development and compliance assistance process at EPA. ASBO regularly partners with a variety of stakeholders to address small business questions and concerns, including; the state Small Business Ombudsmen and Small Business Environmental Assistance Programs (SBEAPs), small business trade associations, headquarter and regional EPA programs offices, as well as federal agencies like the Small Business Administration.

ASBO's partnerships provide the perspective and collaboration EPA requires to support small businesses in achieving their environmental performance goals. The SmallBiz@EPA Bulletin strives to provide EPA and the small business community access to the necessary environmental news, regulatory updates and resources that may impact or assist small businesses.

SmallBiz@EPA Bulletin

Welcome your
Submissions

Potential

Submission Topics:

- Upcoming Events
- Success Stories
- New Assistance Tools
- Technical Updates
- Regulatory Updates
- Stories to Reach the Small Business Community
- Updated Contact Info.

Submission Guidelines:

- 150 words or less
- Provide a title for the article
- Include a link to more information on the topic
- Include contact information to be included in the article submission
- Articles should be submitted by the 15th of each month.
- Submit your articles to shepherd.sheila@epa.gov and thompson.elnora@epa.gov



2020 National SBEAP Training and Awards Ceremony



2019 SBEAP's National Training

Save the date! The 2020 Small Business Environmental Assistance Program (SBEAP) National Training and Awards Ceremony is scheduled for May 5-7, 2020 in the Washington, D.C. Metro Area. More details on exact location to come but stay tuned to <https://nationalsbeap.org/training>.

Every year, during the annual SBEAP Training, the **National Steering Committee (NSC)** hosts) **SBO/SBEAP Annual Awards Ceremony**. This ceremony is the States' premier awards program for recognizing outstanding environmental leadership among small businesses and small business assistance providers. **Nominations for 2020 awards will open soon.** SBO/SBEAP awards recognize small businesses, SBEAP/SBO programs and individuals, trade associations and other business assistance providers who have made significant contributions to protecting the environment. The awards program is sponsored by the SBEAP/SBO NSC in partnership with U.S. EPA Asbestos and Small Business Office. Be on the lookout for the awards nomination process and go to the <https://nationalsbeap.org/content/2019-sbeapsbo-national-awards> for up to date information.

Most recently the Kansas program received the 2019 Small Business Environmental Assistance Program Excellence Award. This award category recognizes accomplishments of a Small Business Environmental Assistance Program nationwide in the areas of compliance assistance, sustainability, advocacy and collaboration. [Press release](#)

<https://nationalsbeap.org/content/2019-sbeapsbo-national-awards>

1990 Clean Air Act Amendments – 30 Year Anniversary

The United States has made great [progress since 1970](#) in cleaning the air, but the job is far from complete. November 15, 1990 marks a milestone in Clean Air Act history, the [signing of the 1990 Amendments](#). These amendments set the stage for protecting the ozone layer, reducing acid rain and toxic pollutants, and improving air quality and visibility.

Accomplishments of the Clean Air Act can be found in the [2019 Annual Report: Our Nation's Air](#).

For more information and an overview on the Clean Air Act go to: <https://www.epa.gov/clean-air-act-overview>

Air Quality Improves as America Grows

<https://gispub.epa.gov/air/trendsreport/2019>

+275%

1970 2000 2010 2018

-74% (BROKEN HyperLink – please fix)

Economic Growth with Cleaner Air

Between 1970 and 2018, the combined emissions of the six common pollutants (PM2.5 and PM10, SO2, NOx, VOCs, CO and Pb) dropped by 74 percent. This progress occurred while the U.S. economy continued to grow, Americans drove more miles while population and energy use increased.

Percent Change Comparison of Growth Areas and Declining Emissions

1970-2018

Pb (3-month) CO (8-hour) NO2 (annual) NO2 (1-hour) O3 (8-hour) PM2.5 (annual) PM2.5 (24-hour) PM10 (24-hour) SO2 (1-hour)

Declining National Air Pollutant Concentration Averages

Percent Above or Below NAAQS (%)

Air Quality Trends Show Clean Air Progress

While some pollutants continue to pose serious air quality problems in areas of the U.S., nationally, criteria air pollutant concentrations have dropped significantly since 1990, improving quality of life for many Americans. Air quality improves as America grows.

CO -74%

Pb (from 2010) -82%

NO_x annual -57%

NO_x 1-hour -50%

O₃ -21%

PM_{2.5} -26%

PM_{2.5} annual (from 2000) -39%

PM_{2.5} 24-hour (from 2000) -34%

SO₂ -89%

Most Recent National Standard

1990 1992 1994 1996 1998 2000 2002 2004 2006
2008 2010 2012 2014 2016 2018

Draft Risk Evaluation for N-Methylpyrrolidone (NMP)

On Jan. 3, 2020, the Environmental Protection Agency published a notice extending the comment period for its draft risk evaluation for N-methylpyrrolidone (NMP) to Jan. 21, 2020.

EPA published its draft risk evaluation for NMP on Nov. 7, 2019. Under the Toxic Substance Control Act, EPA is required to conduct risk evaluations to determine whether existing chemicals present an unreasonable risk of injury to health or the environment under the conditions of use. NMP is used as a solvent in a wide range of industrial, commercial and consumer applications. In the draft risk evaluation, EPA found unreasonable risk of injury to human health for various conditions of use for workers and consumers, which include paint and coating removers, adhesive removers, paint and coatings, cleaner or degreaser for electrical equipment. EPA, however, did not present any unreasonable risk finding for occupational non-users, bystanders or the environment in some of the evaluated conditions of use. A final determination that a condition of use presents an unreasonable risk of injury to health or the environment will move the uses into the risk management phase under TSCA. This means that the agency will have to regulate those risks, which can include use-restrictions or bans.

Draft Risk Evaluation Findings

In the November 2019 draft risk evaluation, EPA reviewed a suite of potential NMP exposures and made the following initial determinations on risk. These preliminary determinations may change as EPA's evaluation becomes more refined through the public comment and peer review processes.

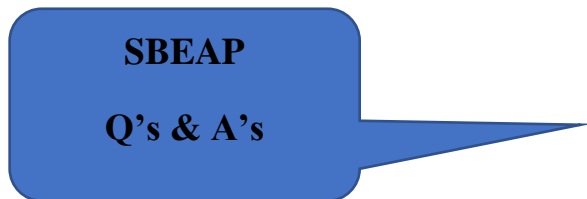
EPA did not find risk to the environment, bystanders, or occupational non-users. For all the conditions of use included in the draft risk evaluation, EPA has preliminarily found no unreasonable risks to the environment, bystanders, or occupational non-users from NMP.

EPA's draft risk evaluation preliminarily found unreasonable risks associated with acute and chronic inhalation and dermal exposure to NMP under a variety of conditions of use. EPA found that workers and consumers could be adversely affected by NMP under certain conditions of use. These initial determinations are based on a draft risk evaluation of the reasonably available information and are not EPA's final determinations on whether this chemical presents unreasonable risks under the conditions of use. The Agency will use feedback received from the public comment and peer review processes to inform the final risk determinations.

This draft risk evaluation and the initial risk determinations are not a final action. This draft represents the Agency's preliminary conclusions, findings, and determinations on NMP and will be peer reviewed by independent scientific experts. The draft risk evaluation includes input from other EPA offices as well as other federal agencies.

For further information contact: Todd Peterson (202)564-6428 email at Peterson.todd@epa.gov

Small Business Environmental Assistance Program



Dear Ask SBEAP:

As a small metal fabricating business, our facility is subject to a national emissions standard for hazardous air pollutants, or NESHAP. We filed our initial notification and notification of compliance, but do we also need to file an “annual certification and compliance report?”

Compliance Chad

Dear Chad:

Happy New Year! As we close out 2019, industries subject to air quality rules and regulations, such as NESHAPs, need to review and possibly report on their compliance status. The end of the year or beginning of a new year is a good time to go over your facility’s requirements and plan for the new year of recordkeeping and reporting.

Your first step should be to review your permits and note the specific recordkeeping and reporting requirements, as well as dates any reports are due. If you do not have a copy of the air permits for your facility, you should contact the permitting agency in your state for a copy.

Based on what you have described, it sounds as if you are subject to the metal fabricating NESHAP, often called the 6X rule. This rule does require an annual compliance report, which are due by January 31st each year. Depending on your requirement for visual emissions reporting, there may be [two different forms](#).

Environmental regulations can vary from state to state, *Ask SBEAP* recommends you contact your state SBEAP who is there to provide environmental compliance technical assistance personalized to your small business. To find your state SBEAP, [click on this map](#).



EPA FEDERAL REGISTER NOTICES:

SUBJECT: Access by United States Environmental Protection Agency (EPA) Subcontractor to Information Claimed as Confidential Business Information (CBI) Submitted Under Clean Air Act (CAA), Title I, Programs and Activities Air, and Title II Emission Standards for Moving Sources, and Act To Prevent Pollution From Ships (APPS)

<https://www.federalregister.gov>

Federal Register: Vol. 85, No. 10,
Wednesday, January 15, 2020/Notices

AGENCY: EPA

ACTION: Notice

SUMMARY: On April 17, 2015, the Environmental Protection Agency (EPA or the Agency) promulgated national minimum criteria for existing and new coal combustion residuals (CCR) landfills and existing and new CCR surface impoundments. On August 21, 2018, the D.C. Circuit Court of Appeals issued its opinion in the case of Utility Solid Waste Activities Group, et al. v. EPA (USWAG). This rule proposes regulations to implement the court's vacatur of the provisions that allow unlined impoundments to continue receiving coal ash unless they leak, and that classify "clay-lined" impoundments as lined, thereby allowing such units to operate indefinitely. In addition, EPA is proposing to establish a revised date by which unlined surface impoundments must cease receiving waste and initiate closure, following its reconsideration of those dates in light of the USWAG decision. Comments must be received on or before January 31, 2020. Public Hearing. The EPA will hold a public hearing on January 7, 2020.

For further information contact: Jeffrey Kimes
(303)312-6445 email at kimes.jeffrey@epa.gov

SUBJECT: Updated Working Approach To Making New Chemical Determinations Under the Toxic Substances Control Act (TSCA); Notice of Availability and Request for Comment

<https://www.federalregister.gov>

Federal Register: Vol. 85, No. 1,
Thursday, January 2, 2020/Notices

AGENCY: EPA

ACTION: Notice

SUMMARY: EPA is announcing the availability of and soliciting public comment on a document entitled: "TSCA New Chemical Determinations: A Working Approach for Making Determinations under TSCA Section 5". This document builds upon EPA's November 2017 document entitled: "New Chemicals Decision-Making Framework: Working Approach to Making Determinations under section 5 of TSCA". Feedback received will help inform the Agency's ongoing efforts to improve policy and processes relating to the review of new chemicals under TSCA. Comments must be received on or before February 18, 2020.

For further information contact: Ryan Schmit
(202)564-0610 email at schmit.ryan@epa.gov