



# SmallBiz@EPA

EPA's Asbestos and Small Business Ombudsman Program

A monthly newsletter for the regulated small business community

November 2020

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## Celebrating 30 years of the 1990 Clean Air Act Amendments

On November 15, 1990 the Clean Air Act (CAA) was revised with overwhelming bipartisan support and signed into law by President George H. W. Bush. Specifically, the amendments were designed to curb four major threats to the environment and to the health of millions of Americans: acid rain, urban air pollution, toxic air emissions, and stratospheric ozone depletion. The amendments also established a national operating permits program to make the law more workable and strengthened enforcement to help ensure better compliance with the Act. The amendments featured several progressive and creative new approaches for effectively achieving the air quality goals and regulatory reform expected from these far-reaching amendments.

For an overview and highlights of the 1990 CAA, visit: <https://www.epa.gov/clean-air-act-overview/clean-air-act-highlights-1990-amendments> or read more about Section 507 of the CAA Amendments that established the Small Business Stationary Source Technical and Environmental Compliance Assistance Program here: <https://nationalsbeap.org/info/507>.

## Policy & Regulation

### Final Amendment to the 2015 National Emissions Standards for Hazardous Air Pollutants for Phosphoric Acid Will Save \$26 Million, While Preserving Air Protection

On October 29, 2020, at Nutrien Aurora Phosphate, EPA Administrator Andrew Wheeler announced the finalization of an amendment to the 2015 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Phosphoric Acid Manufacturing. This amendment, which addresses a petition submitted by PCS Phosphate Company, Inc. (now a subsidiary of Nutrien Ltd.), draws on newly available data in order to make needed revisions to the 2015 NESHAP. The company's Aurora, N.C. facility is the only source affected by this action. These changes are not expected to result in an increase in mercury or any other hazardous air pollutant. It is also expected to save approximately \$26 million over the next five years and protect and preserve hundreds of direct jobs in Eastern North Carolina.

In its September 2016 petition, the company submitted data which demonstrated to EPA's satisfaction that the 2015 rule, as originally written, resulted in the facility being in non-compliance with current controls, a result that was not intended when the 2015 NESHAP was first developed. After working with PCS Phosphate to gather additional data, we have revised the 2015 NESHAP to establish a new emissions standard that fulfills EPA's statutory requirements under the Clean Air Act and better reflects

the original intent in the 2015 rule. Without this action, additional cost-prohibitive controls, which were not anticipated for this facility during development of the 2015 Rule, would be required.

Read the full [press release](#). For more about the Phosphoric Acid Manufacturing NESHAP, visit <https://www.epa.gov/stationary-sources-air-pollution/phosphate-fertilizer-production-plants-and-phosphoric-acid>.

## **EPA's List of Approved SARS-CoV-2 Surface Disinfectant Products Passes 500**

EPA has now approved more than 500 surface disinfectant products for use against SARS-CoV-2, the coronavirus that causes COVID-19. This is an important milestone for ensuring American businesses, families, schools, and other organizations have as many tools as possible to disinfect surfaces and protect themselves and their families against the novel coronavirus.

“Since the beginning of this coronavirus pandemic, the Trump Administration has worked to ensure that Americans have access to safe and effective surface disinfectant products to use against the novel coronavirus,” said EPA Administrator Andrew Wheeler. “With more than 500 products now on our list of disinfectants, Americans have a wide range of options to choose from to help protect themselves and their families from COVID-19.”

In early March, EPA released its initial [List N: Disinfectants for Use Against SARS-CoV-2](#). This list began with 85 products and continues to be updated on a weekly basis. The list is searchable and sortable, [comes with helpful tips on how to use disinfectants properly](#), and features [frequently asked questions](#) to ensure correct product usage. EPA's List N has received more than 20 million views and remains a valuable resource for the public.

Read the full [press release](#).

## **EPA Releases Updated 2019 TRI Data**

On October 27, 2020, EPA released updated 2019 Toxics Release Inventory (TRI) data, continuing the Agency's commitment to providing the public with important data and information about chemicals in their communities. This dataset builds upon the preliminary data [released in July](#), including revised submissions and additional data quality checks, and will be used to develop the 2019 TRI National Analysis.

The 2019 data set contains data about chemical releases and other waste management practices and pollution prevention activities that took place during 2019 at more than 21,000 federal and industrial facilities across the country. You can use these data to identify how many TRI facilities operate in a certain geographic area and where they are located, as well as what chemicals facilities are managing and in what quantities. EPA has conducted various data quality reviews to help verify the submitted data.

This data publication includes summary and trend information but does not include EPA's full analysis of the 2019 data. That analysis will be published early next year in the TRI National Analysis, and will examine different aspects of the data, including trends in releases, other waste management practices, and P2 activities.

The 2019 data are available in the online TRI tools and data files, including the location-based TRI factsheets.

[Access the updated 2019 Toxic Release Inventory \(TRI\) data.](#)

**Spanish TRI App:** EPA just launched a Spanish version of its new app for getting summary information about toxic chemical releases from industrial and federal facilities. The app provides mobile-friendly access to Toxics Release Inventory (TRI) data, and users can learn about facility chemical releases, pollution prevention activities, compliance and enforcement, and more. Go to the app in Spanish: <https://edap.epa.gov/public/extensions/TRIBusque/TRIBusque.html>.

## **EPA Announces New Actions to Support Water Reuse, Highlights Water Subcabinet Coordination**

On October 27, 2020 at the Future of Water Infrastructure and Innovation Summit, EPA Assistant Administrator for Water David Ross announced four new proposed actions under the National Water Reuse Action Plan (WRAP). The event, hosted by the U.S. Department of Energy (DOE), featured members of the newly formed Water Subcabinet and highlighted, among other issues, the importance of federal coordination on water reuse.

As part of the second quarterly WRAP update, four new proposed actions were released for stakeholder feedback. Action leaders from DOE, EPA, and the Water Research Foundation proposed new actions for development under the WRAP. The proposed actions include:

- Engaging disadvantaged and small communities to evaluate needs and opportunities to improve water security, sustainability, and resilience through water reuse.
- Funding research through the Science to Achieve Results (STAR) program to support safe and sustainable water resources.
- Developing early-stage research on desalination and water reuse treatment technologies to secure affordable and energy-efficient water supplies for the nation from nontraditional water sources, including brackish groundwater, municipal wastewater, produced water, agricultural drainage, and seawater.
- Sharing information on monitoring practices with the water reuse community, focusing on current and novel monitoring practices and techniques related to finished water quality and treatment process performance in water reuse systems.

Details on the four newly proposed actions and information about WRAP implementation can be found on the WRAP Online Platform. Read the full press release.

## **EPA's Municipal Ombudsman**

For additional information and resource assistance in complying with water related regulations you may contact the newly created Municipal Ombudsman office, established under the Water Infrastructure Improvement Act (Public Law No. 115-436), signed in January 2019. The Municipal Ombudsman works directly with EPA's leadership and regional offices to ensure uniform application of Agency policies to municipalities and assistance with specific resources such as; technical assistance, federal assistance opportunities, permitting and enforcement flexibilities, and information on integrated planning. For more information or assistance contact EPA's Municipal Ombudsman, Jamie Piziali at [Piziali.Jamie@epa.gov](mailto:Piziali.Jamie@epa.gov).

## **Key Dates and Upcoming Opportunities**

## Registration Now Open for the Virtual 2020 EPA America Recycles: Innovation Fair and Summit, November 16-17, 2020

Launched in 2019, the America Recycles Innovation Fair showcases recent advances in recycling technology, product development, and materials usage. This year, the event is being held in a fully virtual capacity. [Learn more about the 2020 Innovation Fair](#). EPA plans to announce national recycling goals, provide an overview and facilitate dialogue about its draft national recycling strategy, as well as facilitate public and private sector engagement and discussions across the country. [Registration is free and open to the public here](#).

## SBIR/STTR Virtual Innovation Conference November 17-19, 2020

Connect with Small Business Innovation Research (SBIR) program managers representing over \$3.5 billion in emerging technology funding. Learn how to compete for funding while building new industry, investment and agency partners. This event is online, so you can join us from your own space anywhere in the nation, whether you're in Austin or Boston, Honolulu or Madison. Connect with more innovators than ever before, and view content live or on demand whenever it suits your schedule. We're offering the best-in-class program, networking opportunities, and expanded access for innovators, agencies and tech-scouts across the country. [TechConnect SBIR/STTR Virtual Innovation Conference](#). For more information, visit <https://www.epa.gov/sbir/sbirsttr-virtual-innovation-conference>.

## US EPA Webinar: Reclassification of Major Sources as Area Sources November 19, 2020 1:00-2:00pm EDT

EPA will present a webinar on the rule "Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act." On October 1, 2020, the Administrator signed a final rule that will allow a major source of hazardous air pollutants (HAP) to reclassify as an area source at any time after taking steps to limit emissions. This final action amends the National Emission Standards for Hazardous Air Pollutants (NESHAP) General Provisions to provide sources that reduce emissions and potential to emit to below the major source thresholds the flexibility to reclassify as an area source. This rule also finalizes amendments to clarify the compliance dates, notification, and recordkeeping requirements that apply to sources choosing to reclassify to area source status and to sources that revert to major source status, including a requirement for electronic notification. For more information on this rule, refer to: <https://www.epa.gov/stationary-sources-air-pollution/reclassification-major-sources-area-sources-under-section-112-clean>

To access the webinar, [Join Microsoft Teams Meeting](#) or +1 984-444-7480 United States, Raleigh (Toll) Conference ID: 428 077 816#. For more information or questions regarding this webinar, please contact Lena Epps-Price at [epps-price.lena@epa.gov](mailto:epps-price.lena@epa.gov).

### Ask SBEAP

Dear SBEAP,

So, SBEAP, I have seen the words of your acronym spelled out and would like to know how you serve the small business community.

Sincerely,

Dear Sam,

Thank you for your question. This monthly column is one avenue we use to make sure small businesses are aware of SBEAP's services. Most states have a Small Business Environmental Assistance Program or SBEAP (pronounced ESS-beep). It is a program created under the Clean Air Act Amendments of 1990 and is designed to help small businesses with free, confidential environmental compliance assistance. Ever wondered if you need state or federal air, waste or storm water permits? Your state SBEAP professional knows, or at least knows how to make getting the answer easier.

To contact your SBEAP, simply go to our [national map](#) and click on your state. Then call or email us with your questions, and we will be happy to assist you...no strings attached. If you want to learn more about why SBEAP is a federally mandated program under the Clean Air Act Amendments of 1990, simply go to our "[About us](#)" page and read further. You may also want to tune in each month as specialists from the [National Small Business Environmental Assistance Program](#) address common environmental compliance questions through this new column in the ASBO Bulletin.

## Spotlight

### **Energy Extraction Portal – 2 New Sites**

EPA's Office of Enforcement and Compliance Assurance (OECA) has a new Energy Extraction Portal (<https://www.eciee.org>) that launched in 2019. Because of the pandemic, demand for oil is down, so many companies are needing to store more crude oil than before. As a result, the portal has developed two new compliance assistance items to guide in storage operations. The Energy Extraction Portal now has a new page focused on the "[Storage of Crude Oil](#)", which provides information about the potential requirements that may apply to oil storage activities under the CAA, CWA, EPCRA, RCRA and Emergency Response Authorities. The page also provides resources for the storage of crude oil in Indian Country.

Additionally, EPA posted a new Compliance Advisory statement, "Compliance Concerns Associated with Increasing Oil Storage", which was written to help facilities that may be increasing existing oil storage capacity or creating new oil storage capacity, and explains the Clean Water Act requirements that apply, such as Spill Prevention, Control, and Countermeasure (SPCC) and Facility Response Plan (FRP) requirements. Find the Compliance Advisory at: <https://www.epa.gov/compliance/compliance-advisory-compliance-concerns-associated-increasing-oil-storage>.

### **EPA Announces \$40 Million in Grant Funding to Reduce Lead in Drinking Water in Disadvantaged Communities and Schools**

On October 23, 2020, at multiple events across the country in Grand Rapids, Mich.; Benton Harbor, Mich.; Newark, N.J.; and a virtual event for Virginia, EPA officials announced projects that were selected to receive nearly \$40 million in grant funding under the Water Infrastructure Improvements for the Nation Act (WIIN). These first-ever selections under the WIIN Act's Reduction in Lead Exposure via Drinking Water grant will be used to assist disadvantaged communities and schools with removing sources of lead in drinking water.

The selected grantees will conduct projects that will reduce lead exposure in drinking water by replacing thousands of lead service lines and removing potential sources of lead in hundreds of schools and childcare facilities across the United States. The selected grantees include:

#### **Lead Service Line Replacement Projects**

- Providence Water Supply Board, RI - \$6.4M
- City of Benton Harbor, Mich. - \$5.6M
- City of Grand Rapids, Mich. - \$5.1M

#### **Lead in Schools and Childcare Facilities Projects**

- Indiana Finance Authority - \$544,000
- Newark Board of Education, N.J. - \$7.5M
- Commonwealth of Massachusetts Clean Water Trust - \$3M
- District of Columbia - \$2.3M
- Elevate Energy, Ill. - \$2M
- Virginia Department of Health - \$1.3M
- Boston Public Schools, Mass. - \$6.2M

In addition, under the Water Infrastructure Fund Transfer Act (WIFTA) various states have conducted a one-time transfer from the Clean Water State Revolving Fund (CWSRF) to the Drinking Water State Revolving Fund (DWSRF) for lead-related, DWSRF-eligible projects. Under this Act, states have transferred nearly \$550 million to support efforts to reduce lead in exposure in drinking water.

Read the full [press release](#).

## **SBA Recognizes Top Active Surety Partners: Surety Bond Guarantee Program Surpasses \$7 Billion in Bond Guarantees**

The [U.S. Small Business Administration](#) (SBA) announced its most active surety companies and agencies for fiscal year (FY) 2020, which contributed to increases in the Surety Bond Guarantee (SBG) Program's activity. Surety bonds help small businesses win contracts by providing the customer with a guarantee that the work will be completed. Many public and private contracts require surety bonds, which are offered by surety companies. The SBA guarantees surety bonds for certain surety companies, which allows the companies to offer surety bonds to small businesses that might not meet the criteria for other sureties.

The SBA's Surety Bond Guarantee Program, in direct partnership with surety companies and their agents, provides surety bond guarantees for small businesses on federal, state, local, and private projects. Commercial construction, service, and supply contracts and subcontracts are eligible if the contract requires a surety bond.

In FY2020, the SBA's guaranteed bids and final bonds were more than \$7.1 billion in total contract value. With the work of the SBA's top-performing surety partners and bond agencies, over 1,800 small businesses were assisted and over 30,000 jobs were supported.

For more information visit SBA's Surety Bond site: [https://www.sba.gov/funding-programs/surety-bonds?utm\\_medium=email&utm\\_source=govdelivery](https://www.sba.gov/funding-programs/surety-bonds?utm_medium=email&utm_source=govdelivery).

## **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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