



SmallBiz@EPA

EPA's Asbestos and Small Business Ombudsman Program

A monthly newsletter for the regulated small business community

June 2022

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Policy & Regulation

Asbestos Part 1: Chrysotile Asbestos; Regulation of Certain Conditions of Use Under Section 6(a) of the Toxic Substances Control Act (TSCA); Extension of Comment Period

EPA proposed a rule under TSCA to address the unreasonable risk of injury to health it has identified for conditions of use of chrysotile asbestos following completion of the TSCA Risk Evaluation for Asbestos, Part 1: Chrysotile Asbestos. The comment period for the proposed rule published April 12, 2022, [87 FR 21706](#), is extended. Comments must be received on or before July 13, 2022. [Read the Federal Register Notice.](#)

EPA Proposes Rule to Require More Comprehensive Reporting on Asbestos, Continuing Work to Protect Public from Asbestos Exposure

On May 5, 2022, EPA announced a proposed rule that would require comprehensive reporting on asbestos as the Agency continues its work to address exposure to the known carcinogen and strengthen the science used to protect people from this dangerous chemical. The proposed rule under section 8(a) of TSCA would require asbestos manufacturers and processors to report certain use and exposure information, including information pertaining to asbestos-containing articles (including as an impurity).

The proposed reporting rule would require manufacturers and producers of certain types of asbestos and asbestos-containing articles (including as an impurity) in the last four years to report certain exposure-related information, including quantities of asbestos manufactured or processed, types of use, and employee data. Importantly, the proposed rule also covers asbestos-containing articles (including as an impurity) and asbestos that is present as a component of a mixture. As proposed, manufacturers and processors would have up to nine months following the effective date of the final rule to collect and submit all required information to EPA.

Upon publication in the *Federal Register*, EPA will accept comments on the proposed rule for 60 days via docket EPA-HQ-OPPT-2021-0357 at www.regulations.gov. [Read the press release.](#)

National Emission Standards for Hazardous Air Pollutants: Mercury Cell Chlor-Alkali Plants Residual Risk and Technology Review

This action finalizes the residual risk and technology review (RTR) conducted for the Mercury Cell Chlor-Alkali Plants source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, this action finalizes the beyond-the-floor determination that EPA performed in response to a petition for reconsideration of the 2003 NESHAP. These final amendments prohibit mercury emissions from existing mercury cell chlor-alkali plants based on the results of EPA's technology review and beyond-the-floor maximum achievable control technology (MACT) determination. The compliance date for this requirement is three years. Since mercury emissions will be eliminated as a result of the final rule standards, any adverse health or environmental effects from mercury emissions from the source category will also be eliminated in that three-year time frame.

Furthermore, EPA is finalizing work practice standards and instrumental monitoring of mercury to minimize fugitive mercury emissions from the cell rooms during the period of time before emissions are eventually eliminated. In addition, EPA is finalizing work practice standards to minimize fugitive chlorine emissions from mercury cell chlor-alkali plants, which were not previously regulated under the NESHAP. EPA is also finalizing revisions related to emissions during periods of startup, shutdown, and malfunction (SSM) and amendments to correct a few minor errors in compliance provisions in the 2003 rule. This final rule is effective as of May 6, 2022. [Read the Federal Register Notice.](#)

EPA Adds Five PFAS Chemicals to List of Regional Screening and Removal Management Levels to Protect Human Health and the Environment

On May 18, 2022, EPA took an important step forward to protect people from per- and polyfluoroalkyl substances (PFAS) by adding five PFAS chemicals for a total of six PFAS chemicals to a list of risk-based values that help EPA determine if response or remediation activities are needed. EPA's action provides the Agency with critical tools needed for Superfund and other Agency programs to investigate contamination and protect people from these PFAS chemicals using the latest peer-reviewed science.

The five PFAS additions include: hexafluoropropylene oxide dimer acid and its ammonium salt (HFPO-DA – sometimes referred to as GenX chemicals), perfluorooctanesulfonic acid (PFOS), perfluorooctanoic acid (PFOA), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS). EPA added the first PFAS substance, PFBS or perfluorobutanesulfonic acid, to the Regional Screening Level and Regional Removal Management Level lists in 2014 and updated it in 2021 when EPA released its updated toxicity assessment for PFBS.

In addition to updating the Regional Screening Levels and Regional Removal Management Levels, EPA is moving as quickly as possible to update the interim health advisories for PFOA and PFOS to reflect new science and input from the Science Advisory Board. Concurrently, EPA will continue to develop a proposed PFAS National Drinking Water Regulation for publication in fall 2022. EPA anticipates finalizing the rule in fall of 2023. For more information about EPA's work to address PFAS, please visit: epa.gov/pfas. [Read the press release.](#)

Protection of Stratospheric Ozone: Listing of HFO-1234yf Under the Significant New Alternatives Policy Program for Motor Vehicle Air Conditioning in Nonroad Vehicles and Servicing Fittings for Small Refrigerant Cans

Pursuant to EPA's Significant New Alternatives Policy program, this action lists the refrigerant 2,3,3,3-tetrafluoroprop-1-ene, also known as HFO-1234yf or R-1234yf, as acceptable, subject to use conditions, in the motor vehicle air conditioning end-use for certain types of newly manufactured nonroad (also called off-road) vehicles, which includes some vehicles that are also considered heavy-duty vehicles. EPA is also adopting the current versions of the industry safety standards SAE J639, SAE J1739, and SAE J2844 by incorporating them by reference into the use conditions for the listings in nonroad vehicles and previous listings for certain onroad vehicles covered in final rules issued separately in

March 2011 and December 2016. In addition, EPA is requiring unique servicing fittings for use with small refrigerant cans (two pounds or less) of 2,3,3,3-tetrafluoroprop-1-ene that are used to service onroad and nonroad vehicles. Finally, EPA is adding a reference to the Agency's regulations under the Toxic Substances Control Act for 2,3,3,3-tetrafluoroprop-1-ene for the listings in nonroad vehicles and previous listings for certain onroad vehicles. This final rule is effective as of June 3, 2022. [Read the Federal Register Notice.](#)

Key Dates and Upcoming Opportunities

Upcoming Webinars: Environmental Financial Advisory Board Pollution Prevention Finance Forum

June 22, 2022, 12:00pm - 1:30pm ET

EPA is holding a public webinar as part of the Environmental Financial Advisory Board's (EFAB) Pollution Prevention (P2) Finance Forum. The P2 Finance Forum is a series of webinars that explore opportunities and challenges in financing sustainability, with an initial focus on advancing opportunities for small and medium-sized manufacturing businesses. The webinar is open to the public and allow for written statements in advance of the webinar. This webinar will assess partnership models and explore potential partnership opportunities and distribution networks for P2 projects. Send written statements for this webinar by June 22, 2022, to efab@epa.gov. [Register for the June 22, 2022, webinar.](#)

P2, also known as source reduction, is any practice that reduces, eliminates, or prevents pollution at its source prior to recycling, treatment, or disposal. [Learn more about P2.](#) The Environmental Financial Advisory Board provides ideas and advice to EPA's Administrator and program offices on ways to lower the costs of and increase investments in environmental and public health protection. Learn more about EFAB and these webinars, including access or services for individuals with disabilities, at epa.gov/waterfinancecenter/efab.

EPA Announces Additional \$1.9 Billion in State Revolving Loan Funds for Water Infrastructure Upgrades

On May 13, 2022, EPA announced \$1.9 billion in grant funding to the State Revolving Funds (SRF) to accelerate progress on water infrastructure projects. Combined with historic investments through the Bipartisan Infrastructure Law (BIL), this funding will help states, Tribes, and territories upgrade water infrastructure to provide safe drinking water, protect vital water resources, and create thousands of new jobs in communities across the country.

In 2022, EPA is providing approximately \$3.2 billion to the Clean Water SRFs, including \$1.2 billion in new base federal grant funding in this announcement and \$2 billion through the Bipartisan Infrastructure Law. This total investment represents a near doubling of annual investment in the Clean Water SRF to support a wide range of water infrastructure projects, including modernizing aging wastewater infrastructure, implementing water reuse and recycling, and addressing stormwater. More than \$47 million in direct grant funding is available to Tribes, certain U.S. territories, and the District of Columbia for infrastructure projects.

EPA is also providing \$6.4 billion to the Drinking Water SRFs, including \$728 million in new base federal grant funding in this announcement and \$5.7 billion through the BIL. This total investment represents a six-fold increase in annual investment to help drinking water systems remove lead service lines, install treatment for contaminants, and improve system resiliency to natural disasters such as floods. More than \$32 million in direct grant funding is available to Tribes, certain U.S. territories, and the District of

Columbia to use for drinking water system upgrades.

EPA encourages states, Tribes, and territories to strategically deploy SRF funding through the BIL alongside SRF base funding and other water infrastructure financing tools to make rapid progress on their most pressing needs. The agency is continuing to work with states, Tribes, and territories to ensure that disadvantaged communities fully benefit from historic investments in the water sector.

Lean more about EPA's [Drinking Water SRF](#) and [Clean Water SRF](#) programs.

[Lean more about water infrastructure investments through the Bipartisan Infrastructure Law.](#) [Read the press release.](#)

Biden-Harris Administration Makes \$500 Million Available for Clean School Buses Through EPA

On May 20, 2022, the Biden-Harris Administration through EPA announced \$500 million available for school districts and other eligible school bus operators and contractors to begin replacing the nation's fleet of school buses with clean, American-made, zero-emission buses. This \$500 million represents the first round of funding out of the unprecedented \$5 billion investment for low and zero-emission school buses over the next five years, secured through President Biden's Bipartisan Infrastructure Law.

The Bipartisan Infrastructure Law allows EPA to prioritize applications that will replace buses serving high-need local education agencies, Tribal Schools, and rural areas. This approach supports President Biden's Justice40 initiative to direct at least 40% of the benefits of certain government investments to underserved communities. EPA's Clean School Bus Program will strive to meet this commitment and advance environmental justice and equity considerations into all aspects of our work. In addition, EPA will focus education and outreach efforts to underserved communities, including partnering with stakeholders to reach communities that may have never applied for a Federal grant or rebate. Portions of the rebates can also be used to install electric vehicle charging infrastructure so that schools can make chargers available for the new buses. The rebate program will select awardees through a lottery system.

EPA is accepting applications from May 20, 2022 until August 19, 2022. Questions about applying may be directed to CleanSchoolBus@epa.gov.

This is the first competition that EPA is running through the Clean School Bus program. The Agency will also launch a grant competition later this year. Further Clean School Bus competitions funded by the Bipartisan Infrastructure Law will be run every year over the next five years. To learn more about the rebate programs, applicant eligibility, selection process, and informational webinar dates, visit epa.gov/cleanschoolbus. [Read the press release.](#)

EPA Announces \$1.13 Million in Regional Source Reduction Assistance Grant Opportunities

On May 27, 2022, EPA announced a grant funding opportunity for non-profit organizations, tribes, and state and local governments within EPA Regions 3, 4, 7, 8, 9 and 10 to advance innovative, cost-effective, and replicable source reduction approaches that save energy and water, reduce pollution, and improve human health and the environment. Source reduction, also known as pollution prevention (P2) means preventing pollution at the source rather than managing waste after it is produced. In support of the Biden-Harris Administration's priorities, these grants will emphasize projects that support environmental justice and prevention of greenhouse gas emissions.

Under the announced grant opportunity, EPA anticipates awarding between eight and 27 awards ranging from \$40,000 to \$250,000, with up to a total of \$1,135,000 in federal funds available. EPA may make additional awards under this solicitation if additional funding becomes available after the original selections are made. Applications require a cost share or match of 5% of the federal funds.

EPA is particularly interested in receiving applications for projects in that are designed to achieve measurable reductions of greenhouse gas emissions, projects that result in reduced generation and use of hazardous materials, projects that address reducing use of natural resources such as energy or water, and projects that support environmental justice for underserved communities.

Eligible applicants include states, local, interstate, and intrastate government agencies and instrumentalities, federally recognized tribes, inter-tribal consortia, and non-profit organizations. All projects must take place within the geographic boundaries of one of EPA Regions 3, 4, 7, 8, 9, and 10.

Proposals are due by July 22, 2022. Additional information is available on www.grants.gov under the Funding Opportunity Announcement EPA-REGIONS-LCRD-2022-01. Please consult the solicitation for further details. [Read the full press release.](#)

Ask SBEAP

Dear SBEAP,

I opened a new small business about 10 months ago and need help determining whether any state or federal environmental compliance regulations apply to my facility. The facility does some paint and coating and generates small amounts of waste solvent from spray gun cleaning. How do I get started?

Sincerely,
Budding Small Business Owner

Dear Budding,

Good news, you have come to the right place to get answers to your questions. It is the business owner's responsibility to determine which environmental regulations apply to their operations. After identifying which regulations the operation is subject to, the owner may need to secure any necessary permits and then meet specific regulatory performance standards.

Operations, like the one described that spray paints and coatings and use solvents, should evaluate their air emissions, hazardous waste generation and the need to notify for stormwater discharges. As a small business, the easiest place to start is by contacting your state Small Business Environmental Assistance Program. These programs are called SBEAP for short, pronounced S-beep, and provide free and confidential environmental compliance assistance. The [map on the National SBEAP website](#) allows you to "click" on the state to find the specific state contact.

Another resource for these regulations and specific industries are the [environmental compliance](#) pages on the nationalsbeap.org website. These pages provide a basic overview of air quality, hazardous waste and water quality regulations.

To find out if any regulations apply to your small business, give your state SBEAP a call or send an email. In addition to answering your questions by phone or email, many state SBEAPs also offer on-site walk-through visits to help them better understand your operations. Again, to contact your state SBEAP, simply go to the [national map](#) and click on your state.

Spotlight

EPA Awards \$4.7M for Research to Advance Detection of Air Toxics

On May 18, 2022, EPA announced more than \$4.7M in research grants to seven institutions for research to advance measurement and monitoring methods for air toxics and contaminants of emerging concern in the atmosphere.

The research will focus on developing more robust methods for measuring air toxics, as well as contaminants of emerging concern such as per- and polyfluoroalkyl substances (PFAS) in the atmosphere by improving sensitivity and selectivity, as well as cost effectiveness. These more cost-effective measurement techniques can support efforts to address environmental justice concerns; enable a better understanding of the sources and fates of air toxics, and contaminants of emerging concern; and inform the development of effective emission control strategies that will ultimately improve public health. [Learn more about the grant recipients.](#) [Read the press release.](#)

EPA & DOE Announce Winners of 2022 ENERGY STAR Awards

On May 5, 2022, EPA and the Department of Energy (DOE) announced the winners of the 2022 ENERGY STAR Awards. These 210 organizations, which represent the top ENERGY STAR partners, are making important contributions in support of America's clean energy transition. They come from 37 states and span nearly every sector of the economy, including Fortune 500 companies, schools, retailers, manufacturers, home builders, and commercial building owners and operators across the United States.

For 30 years, ENERGY STAR has been America's resource for saving energy and protecting the environment. In 2020, energy savings from ENERGY STAR and its partners helped reduce U.S. electricity consumption by the equivalent of over 10% of total U.S. demand, while delivering emissions reductions equivalent to 5% of U.S. total greenhouse gas emissions. Read about the 2022 ENERGY STAR [Award Winners' achievements.](#) [Read the press release.](#)

Biden Administration Announces \$254 Million to Tackle Polluted Brownfield Sites

EPA awarded \$254.5 million in Brownfields grants to 265 communities. These grants are supported by President Biden's Bipartisan Infrastructure Law, which provides a total of \$1.5 billion to advance environmental justice, spur economic revitalization, and create jobs by cleaning up contaminated, polluted, or hazardous brownfield properties.

The Brownfields Program advances President Biden's, which aims to deliver at least 40 percent of the benefits of certain government programs to disadvantaged communities. Approximately 86 percent of the communities selected to receive funding as part of this announcement have proposed projects in historically underserved areas.

The next National Brownfields Training Conference will be held on August 16-19, 2022, in Oklahoma City, Oklahoma. Offered every two years, this conference is the largest gathering of stakeholders focused on cleaning up and reusing former commercial and industrial properties. EPA co-sponsors this

event with the International City/County Management Association (ICMA). Conference registration is open at www.brownfields2022.org. [Read more on Brownfields Grants](#). [Read the press release](#).

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.

EPA Asbestos and Small Business Ombudsman Program

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