

SMALLBIZ@EPA

EPA's Asbestos and Small Business Ombudsman Program

A MONTHLY NEWSLETTER FOR THE REGULATED SMALL BUSINESS COMMUNITY

TABLE OF CONTENTS

► Policy & Regulation

- EPA Proposes to Strengthen Air Quality...
- EPA Requires Reporting on Releases and...
- EPA Seeks Input from Small Entities on...
- EPA Proposes to Add Environmental...
- EPA Announces Plans for Wastewater...
- EPA Announces Latest Actions to Protect...
- Per- and Poly-Fluoroalkyl Chemical Substances...

► Key Dates and Opportunities

- 2023 Small Business Environmental Assistance...
- Biden-Harris Administration Announces...
- EPA Seeks Input on Inflation Reduction...

► Ask SBEAP

► Spotlight

- EPA Opens Public Comment Period for Indoor...
- EPA Releases New PFAS Analytic Tools...



POLICY & REGULATION

EPA Proposes to Strengthen Air Quality Standards to Protect the Public from Harmful Effects of Soot

On January 6, 2023, EPA announced a proposal to strengthen a key national ambient air quality standard (NAAQS) for fine particle pollution, also known as PM_{2.5}, to better protect communities, including those most overburdened by pollution. Fine particles, sometimes called soot, can penetrate deep into the lungs and can result in serious health effects that include asthma attacks, heart attacks and premature death – disproportionately affecting vulnerable populations including children, older adults, those with heart or lung conditions, as well as communities of color and low-income communities throughout the United States. These particles may be emitted directly from a source, such as construction sites, unpaved roads, fields, smokestacks, or fires; other particles form in the atmosphere as a result of complex reactions of chemicals such as sulfur dioxide and nitrogen oxides, which are pollutants emitted from power plants, industrial facilities, and vehicles. [Read the press release](#)

EPA Requires Reporting on Releases and Other Waste Management for Nine Additional PFAS

On January 6, 2023, EPA announced the automatic addition of nine per- and polyfluoroalkyl substances (PFAS) to the Toxics Release Inventory (TRI) list.

The data include quantities of such chemicals that were released into the environment or otherwise managed as waste. Information collected through TRI allows communities to learn how facilities in their area are managing listed chemicals. The data collected also helps to support informed decision-making by companies, government agencies, non-governmental organizations, and the public. [Read the press release](#)

[Learn more about the addition of these PFAS to the Toxics Release Inventory \(TRI\)](#)

EPA Seeks Input from Small Entities on Meat and Poultry Products Effluent Guidelines Rulemaking Revision

EPA is seeking input from small businesses, governments, and not-for-profit organizations as it develops the Meat and Poultry Products Effluent Limitations Guidelines Rulemaking Revision, which is an essential step to reduce nutrient discharges in the nation's waters.

In this rulemaking, EPA is considering potential new pretreatment standards, new or stricter limits on phosphorus and other pollutants, and may change the current subcategories or establish additional subcategories. The Agency intends to propose the rule in December 2023. [Read the press release](#)

EPA Proposes to Add Environmental Justice, Climate Change, and PFAS to National Enforcement and Compliance Initiatives for FY 2024-2027

On January 19, 2023, EPA announced it is seeking public comment on its proposal to address environmental justice, climate change, and PFAS contamination in its National Enforcement and Compliance Initiatives (NECIs). The primary objective of these initiatives is to protect human health and the environment by holding polluters accountable through enforcement and assisting regulated entities to return to compliance. [Read the press release](#)

EPA Announces Plans for Wastewater Regulations and Studies, Including Limits for PFAS, New Study for Nutrients

On January 20, 2023, EPA released the Effluent Guidelines Program Plan 15 (Plan 15), which lays out how the Agency will work to protect the nation's waterways by following the science and the Clean Water Act to develop technology-based pollution limits and studies on waste-water discharges from industrial sources.

This Plan focuses on evaluating the extent and nature of both nutrient and PFAS discharges. Plan 15 further advances EPA's commitment in the PFAS Strategic Roadmap to restrict PFAS discharges from industrial sources through a multi-faceted Effluent Limitations Guidelines program. [Read the press release](#)

EPA Announces Latest Actions to Protect Groundwater and Communities from Coal Ash Contamination

On January 25, 2023, EPA announced the latest action to protect communities and hold facilities accountable for controlling and cleaning up the contamination created by coal ash disposal. The Agency issued six proposed determinations to deny facilities' requests to continue disposing of coal combustion residuals (CCR or coal ash) into unlined surface impoundments.

Coal ash is a byproduct of burning coal in coal-fired power plants that, without proper management, can pollute waterways, groundwater, drinking water, and the air. Coal ash contains contaminants like mercury, cadmium, chromium, and arsenic associated with cancer and various other serious health effects. [Read the press release](#)

Per- and Poly-Fluoroalkyl Chemical Substances Designated as Inactive on the TSCA Inventory; Significant New Use Rule

Under the Toxic Substances Control Act (TSCA), EPA is proposing a significant new use rule (SNUR) for those PFAS that have not been manufactured (including imported) or processed for many years and are consequently designated as inactive on the TSCA Chemical Substance Inventory. Persons subject to the SNUR would be required to notify EPA at least 90 days before commencing any manufacture (including import) or processing of the chemical substance for a significant new use. Once EPA receives a notification, EPA must review and make an affirmative determination on the notification, and take such action as is required by any such determination before the manufacture (including import) or processing for the significant new use can commence. Such a review will assess whether the use may present unreasonable risk to health or the environment and ensure that EPA can prevent future unsafe environmental releases of the PFAS subject to this SNUR. Comments must be received on or before March 27, 2023. [Read the proposed rule in the Federal Register](#)
[Read the press release about this PFAS rulemaking](#)





KEY DATES AND OPPORTUNITIES

2023 Small Business Environmental Assistance Program's (SBEAP) Annual Training Registration is now open for this year's national SBEAP Annual Training in beautiful Lake Tahoe, Nevada, March 21-23, 2023. This year's annual training is being hosted by the Nevada Business Environmental Program at the University of Nevada, Reno (the NV SBEAP) and will be held at [Bally's Lake Tahoe Hotel](#). Room block reservations (Group Code: STBE23) with a low negotiated rate have been established for conference attendees. Learn more about environmental topics and issues that impact small business assistance. For more information and the full training agenda go to: <https://nationalsbeap.org/news-events/training>

Biden-Harris Administration Announces Availability of \$100 Million through Inflation Reduction Act for Environmental Justice Grants

On January 10, 2023, EPA announced the availability of approximately \$100 million for projects that advance environmental justice in undeserved and overburdened communities across the country. This funding, made possible through President Biden's Inflation Reduction Act, marks the largest amount of environmental justice grant funding ever offered by the Agency. EPA has published two Requests for Applications for this funding through the Environmental Justice Collaborative Problem-Solving (EJCPS) Cooperative Agreement Program and the Environmental Justice Government-to-Government (EJG2G) Program.

Applicants interested must submit proposal packages on or before April 10, 2023, to be considered for the available funding. Applicants should plan for projects to begin on October 1, 2023. [Read the press release](#)

EPA Seeks Input on Inflation Reduction Act Programs to Reduce Greenhouse Gas Emissions Associated with Construction Materials and Products

On January 19, 2023, EPA announced the first opportunities for public input on new programs focused on lower carbon construction materials made possible by a \$350 million investment from President Biden's Inflation Reduction Act. The Agency will hold three public webinars and will accept written feedback on establishing new grant and technical assistance programs, and a carbon labeling program for construction materials with substantially lower levels of embodied greenhouse gas emissions. [Read the press release](#)





What are engineering controls and how do I practice it at my facility?

-Mr. H.S. Guy

Dear Mr. H.S. Guy,

Great question! Engineering controls are methods designed to get as close to eliminating the hazard as possible without actually eliminating it. Engineering controls lie in the middle of the [hierarchy of hazard controls](#), which orders control strategies by their feasibility and effectiveness. Well-designed engineering controls can be highly effective in protecting workers and will typically be independent of worker interactions to provide this high level of protection. Elimination and substitution, which are most effective at reducing hazards, are also difficult to implement in an existing process. Engineering controls are preferred over administrative controls and personal protective equipment, or PPE, because they are designed to remove the hazard at the source, before it comes in contact with the worker. The U.S. [National Institute for Occupational Safety and Health](#) researches engineering control technologies and provides information on their details and effectiveness in the [NIOSH Engineering Controls Database](#).

The initial cost of engineering controls can be higher than administrative controls or PPE, but the long-term operating costs are frequently lower and can sometimes provide cost savings. Some of the common engineering controls adopted in a small business include: installing guardrails and proper lighting to prevent falls; limiting workers to exposure of hazardous chemicals via proper ventilation and separation of hazardous chemicals into different storage areas; using air conditioners and heaters to combat extreme temperatures; and installing noise absorption panels to dampen high noise levels. Safeguards may also include improved fire detection and suppression systems as well as workplace conditions. If you have questions about engineering controls related to your industrial processes, the state Small Business Environmental Assistance Program or SBEAP can help. Simply go to our [national map](#) and click on your state to find help!





SPOTLIGHT

EPA Opens Public Comment Period for Indoor airPLUS Program

In order to advance indoor air quality protection, the U.S. Environmental Protection Agency (EPA) is announcing proposed updates to the Indoor airPLUS program and will be taking public comment for 60 days. Comments will be accepted until April 3, 2023.

Indoor airPLUS is a voluntary partnership and labeling program designed to improve indoor air quality in homes to help reduce the likelihood of common and serious health problems like heart disease, cancer, asthma and other respiratory issues. Builders that participate in the program must use construction practices designed to minimize exposure to airborne pollutants and contaminants in the home. The Indoor airPLUS program also requires that these practices are inspected and certified by qualified verifiers. [Read the press release](#). Find more information on: [Indoor airPLUS](#)

EPA Releases New PFAS Analytic Tools

EPA has released a new interactive webpage, called the “[PFAS Analytic Tools](#),” which provides information about PFAS across the country. This information will help the public, researchers, and other stakeholders better understand potential PFAS sources in their communities. The PFAS Analytic Tools bring together multiple sources of information in one spot with mapping, charting, and filtering functions, allowing the public to see where testing has been done and what level of detections were measured. [Read the press release](#)



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