

## **BUILDING A NATIONAL ENVIRONMENTAL COMPLIANCE ASSISTANCE INITIATIVE**

- 1) What is Environmental Compliance Assistance?
  - a) Helping someone understand the applicability and meaning of environmental regulations.
  - b) It can be both proactive and reactive. Compliance assistance can be provided by state and federal enforcement staff during an inspection and it can be provided proactively by SBEAPs, the nonregulators.
  - c) Tools include: fact sheets, guidebooks, articles, compliance calendars, notification and recordkeeping forms, phone and onsite consultations, workshops, online videos and web casts.
  
- 2) States' Compliance Assistance Activities
  - a) Evolution of SBEAPs, SBOs and CAPs
  - b) Read "Comprehensive Environmental Compliance Assistance Programs - Background Document, October 29, 2008
  - c) How SBEAPs can make a difference – telling our story
  - d) National Committees
  - e) Small Business Environmental Home Page ([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org))
    - i) [www.smallbiz-enviroweb.org/message\\_board](http://www.smallbiz-enviroweb.org/message_board)
    - ii) SBO/SBEAP Listserve
  - f) EPA Office of Small Business Programs
  - g) What SBEAPs have learned about providing compliance assistance to small businesses
    - i) Generally speaking, small businesses want to know what they need to do and by what date – nothing more, nothing less. Not interested in the legalese.
    - ii) Provide information on all of the state and federal environmental regulations specific to that sector. Small businesses do not have the time to research multiple web sites or read the rules to figure out what does and does not apply to them. Simple checklists and self-audit workbooks are good vehicles for condensing their regulatory obligations into one package.
    - iii) SBEAPs have gained an understanding of the language and terms used commonly used by small business.
    - iv) SBEAPs have staff with diverse backgrounds (i.e., pollution prevention, enforcement and small business development) that collectively provide effective outreach.
    - v) SBEAPs have been using checklists and survey documents to collect compliance data from small business to measure the effectiveness of compliance assistance activities.
    - vi) Encouraging small business to actively participate in public meeting on new rule development results in better compliance and understanding of the final rules.
    - vii) The number of small business subject to environmental regulations is growing as the states' ability to inspect them is diminishing. Many businesses rarely get a visit from state inspectors. This results in an unlevel playing field and resentment from those that do the right thing i.e., it doesn't pay to comply.
    - viii) Package both state and federal environmental regulations into assistance tools and are easily understood by the regulated community.

- 3) EPA's Compliance Assistance Activities
  - a) National level
    - i) National Compliance Centers
    - ii) Office of Pollution Prevention and Toxics: Design for the Environment
    - iii) Compass Newsletter
    - iv) Innovative Grants
  - b) Regional level
    - i) Compliance Assistance Coordinators
    - ii) Small Business Liaisons
  
- 4) Discussion Items
  - a) Funding for SBEAPs
    - i) Identify federal resources available to expand air-only SBEAPs to comprehensive SBEAPs and help maintain those SBEAPs currently operating a comprehensive program.
    - ii) Provide funding to SBEAPs, SBOs and CAPs to attend national and regional meetings and conferences.
  - b) How does EPA develop its enforcement priorities for the upcoming year? What is the best way to involve the SBEAPs in that discussion and discussion of possible outreach that could occur prior to implementation.
  - c) Describe ways to improve awareness of the SBEAPs beyond the Office of Small Business Programs to include all EPA programs.
  - d) Identify pilot projects that SBEAPs and EPA can collaborate on to demonstrate mutual value to each other and small businesses.
    - i) Region 5 approach to Environmental Results Programs
  - e) How can we improve the process of obtaining consistent and timely interpretations of new federal regulations?
    - i) Have the rule writer compose a plain English document (more than a 2-page brochure) explaining the rule in simple terms.
    - ii) Set up meetings with the rule writer and SBEAPs
    - iii) Applicability Determination Index (<http://cfpub.epa.gov/adi/>)
    - iv) Office of Air and Radiation (OAR) Policy and Guidance ([www.epa.gov/ttn/oarpg/](http://www.epa.gov/ttn/oarpg/))
  - f) States need recognition and acknowledgement from EPA to offer compliance assistance on all environmental programs, not just air.
  - g) What are the roles of the EPA Regional Compliance Assistance Coordinators and Small Business Liaisons and are they effectively communicating and partnering with SBEAPs?
  - h) What mechanisms are in place to ensure all states are meeting the mandates of Section 507 of the Clean Air Act?