

THE CLIMB TO COMPLIANCE

-A PARTNERSHIP STORY-



Everybody needs a little help now and then!



NON COMPLIANCE

COMPLIANCE

The steps to compliance are often wide, steep and never ending!

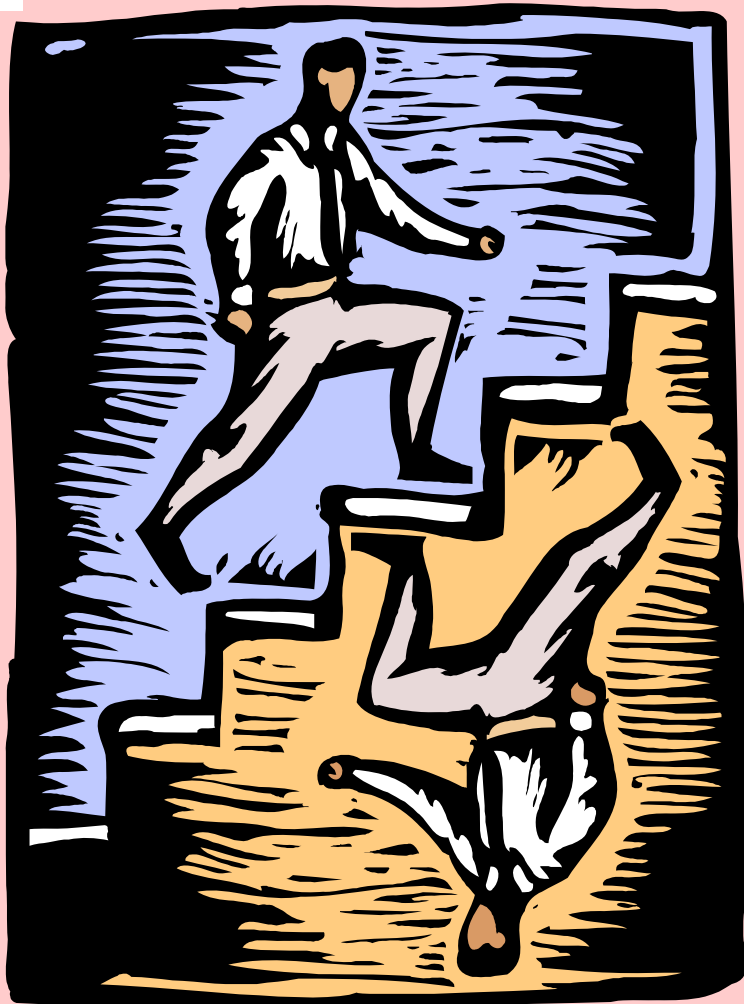


Often compliance steps begin with a CHASE-by enforcement!

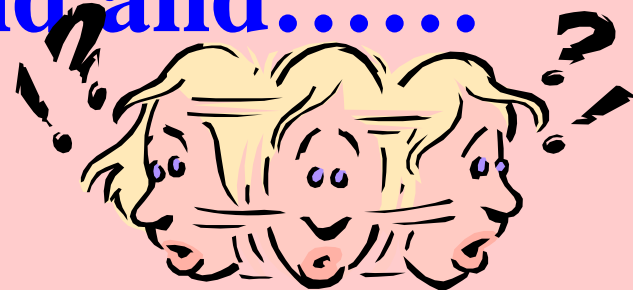




Two Steps forward- Two Steps Back



**Sometimes
Round and
Round and
Round and.....**





SBEAP TO THE RESCUE



**We're the government and we
REALLY are here to help!**



A Partnership Story

Tennessee's Small Business Environmental Assistance Program's



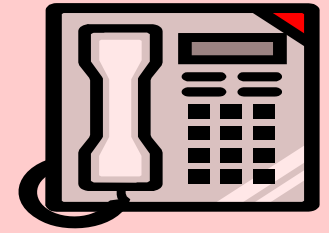
Environmental Compliance Assistance Project

for the

Ready Mixed Concrete Industry



How we got started- EPA Region IV called



Do you.....

- a) Hang up?
- b) Look at you caller I D and don't answer?
- c) Transfer the call to someone else?
- d) Smile and welcome the call?

What happened?



d) We answered the call with a smile 😊.

Why: Positive prior working relationship - trust

Take home: Establish Federal-Regional relationships

First Steps



Region IV EPCRA enforcement determined reporting deficiencies existed for the Ready Mixed Concrete industry

The EPA Region IV Small Business Liaison facilitated a partnership that included:

- Region IV Small Business Liaison
- Region IV EPCRA Enforcement
- State Small Business Environmental Assistance Program
- Ready Mixed Concrete (RMC) Association



INITIAL STEPS - PURPOSE

- Increase industry EPCRA Tier 2 reporting
- Provide training on EPCRA and Tier 2
- Allow facilities an opportunity to correct deficiencies using the Small Business Audit Policy
- Provide compliance assistance



What happened

- Small Business Liaison established conference calls of partners and actually introduced the SBEAP to the RMC Association Director via a conference call
- A few weeks later, a partnership training program on EPCRA and Tier 2 reporting was conducted. All partners presented.
- Use of the Federal audit policy for prior reporting deficiencies and compliance issues was emphasized. ~45 attendees
- SBEAP addressed other environmental compliance needs for the industry



What We Discovered

- ❖ The Association Director didn't realize the EPCRA person was actually enforcement
- ❖ Industry persons were aware of water requirements but not familiar with air
- ❖ The Association was a wonderful partner with a director committed to protecting the environment



After the Training

- Facilities were provided assistance
- EPA Region IV legal reviewed and provided follow-up
- Sometimes requested information was more than companies wanted to share
- The list of workshop participants was requested
- The Region and the State were able to resolve all issues

After the Training



SBEAP partnered with the RMC Association to get facilities in compliance with EPCRA and Tier 2 reporting to meet EPA audit policy grace period

- The Association sent out detailed info on what facilities needed to do to get into compliance
- The Association offered help in completing the information and listed the SBEAP as a resource
- SBEAP helped with questions and facilitated resolution of questions/responses for additional information from EPA



Take home points from Initial Steps

1. Get to know your State Industry Association Directors
2. Know in advance what's being told and who is providing the information to facilities in your state
3. Establish Federal- Regional relationships - build trust
4. Let facilities know **all** of their environmental responsibilities
5. Trust will help resolve problems



Phase Two

- The Association Association Director expressed a desire for industry's total environmental compliance
- SBEAP partnered with Association and conducted an environmental compliance workshop. The Association hosted the meeting. ~25 attendees

Next, SBEAP met with Ready Mixed Concrete Association to discuss a plan of action to implement total multi media compliance effort and utilization of TDEC audit policy. Groundwork was begun with the Fall/Winter as the target time because of the industry down time.



Meetings and Meetings and

SBEAP coordinated meetings of the SBEAP staff, the Association Director and the Senior Air Director, Assistant Air Director, air permitting and enforcement chiefs and the Water Enforcement staff to discuss:

- *past/current/planned compliance assistance activities

- *permitting requirements

- *enforcement options for non compliance, including potential minimum/maximum fines



What We Discovered

Water Program

1. Most had water permits
2. Water was targeting the industry for enforcement
3. Several companies had monitoring reporting problems
4. Most were deficient with their Storm Water Pollution Prevention Plan (SWPP) and Spill Prevention Control Countermeasures (SPCC) Plan

What We Discovered



Air Program:

- Several facilities had never received air permits
- The facilities with permits had expired permits
- Some facilities had non-expiring permits
- Some were paying fees and some were not

Steps to Compliance



- Worked with the Association to finalize industry's utilization of the State's audit policy
- A packet was developed
- The Association sent pre notices that a packet was coming from the State
- The Association employs a consultant to conduct compliance inspections and to help with any required plans, particularly the SPCC that requires a P.E. to sign off



Steps to Compliance



The audit policy packet was mailed. The packet contained:

- a letter explaining the effort and what's required;
- a list of state/local air regulatory programs;
- a self-inspection checklist that can be used to determine compliance problem areas;
- a sample letter that the facility owner can list deficiencies, check how deficiencies were discovered, sign, and return requesting to use the audit policy;
- and a copy of Tennessee's audit policy.



Latest Steps



- A meeting occurred with assistance provided to complete any forms needed to meet their obligations to utilize the audit policy.
- Audit Packet information was placed on Program's web page-(one piece of info received 600+ hits in one month)
- SBEAP staff and Water enforcement staff participated on the agenda of the Concrete Association Convention.



Small Business Audit Policy Results

EPCRA/TRI: 26

Water Pollution: 24

Air Pollution: 28



Take home point from Phase Two



- Work together on mutual goals to eliminate duplication of efforts and to support activities of each group
- You never know what good things can happen when EPA calls



FROM POINT A TO POINT B

HOW TO CLIMB TO COMPLIANCE

Everybody needs a little help now and then!



TRUST

FLEXIBILITY

SELF HELP

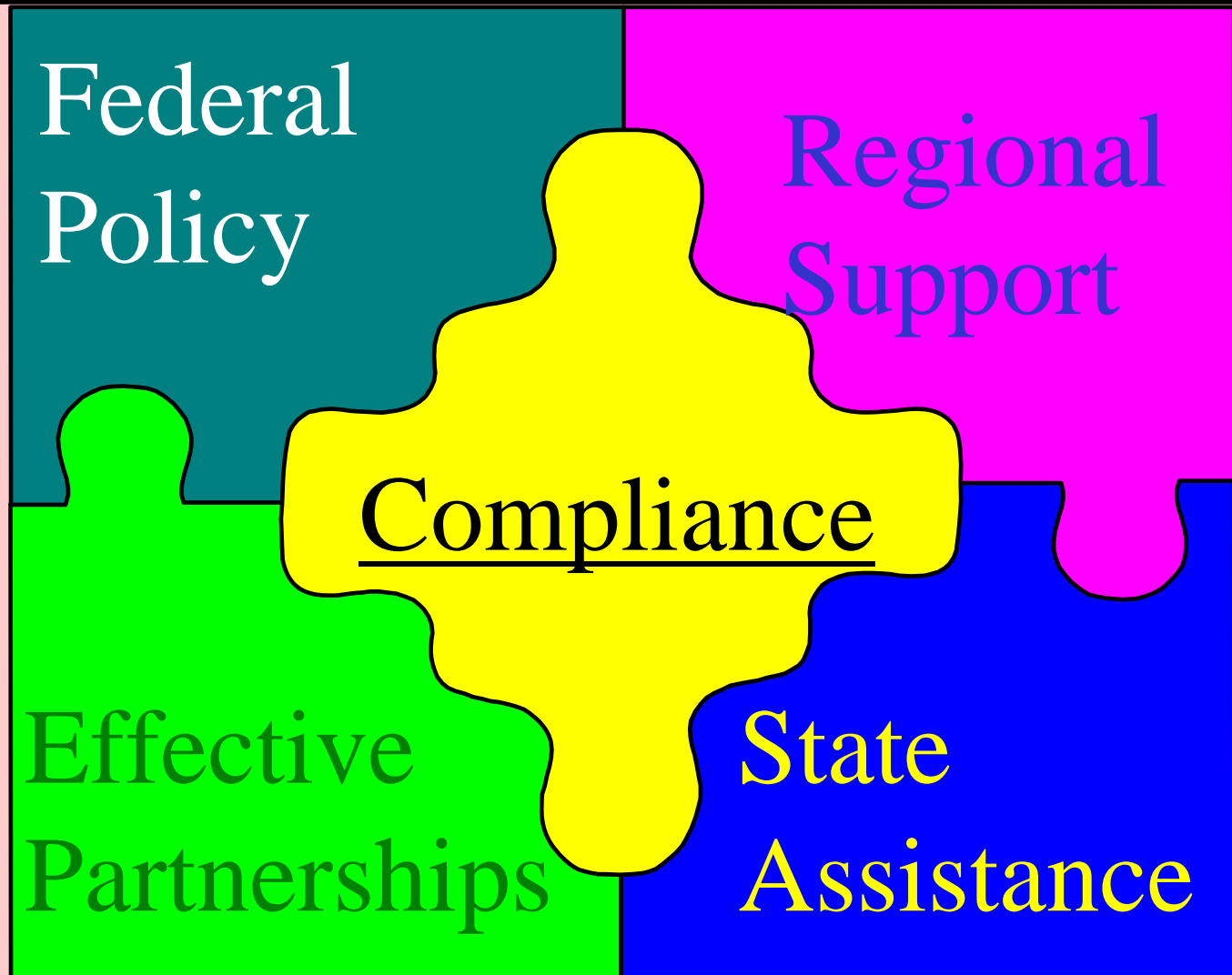
PARTNER

REFERRALS

COMPLIANCE



Compliance Puzzle Pieces!





QUESTIONS?



Linda F. Sadler

Tennessee Small Business Advocate

linda.sadler@state.tn.us

615-532-0779 or 1-800-734-3619

www.state.tn.us/tdec/ea/sbeap