

**SMALL BUSINESS COMPLIANCE ADVISORY COMMITTEE  
MEETING MINUTES  
October 27, 2021**

Members Present: Dale Kaplan, Walter Schroth, Jeremy Hancher, Samantha Harmon, Richard Burrell, Laura Griffin, Terrell Martin

Others Present: Susan Foster, Nancy Herb, Lucas Hershey, Chris Trostle, Jessie Walker, Susan Hoyle, Glendon King, Lee Ann Briggs, Alissa Berger, Kerry Campbell, Forest Edwards, Sarah Pinter, Brian Trowbridge, Matt Toth, Darek Jagiela.

---

Call to Order and Introductions

The Small Business Compliance Advisory Committee's (SBCAC or Committee) October 27, 2021, meeting was called to order by Chair, Dale Kaplan, at 10:00 a.m. in the Rachel Carson State Office Building, room 105, Harrisburg. Several in attendance also joined via Webex conference call.

Mr. Kaplan explained that, going forward, SBCAC meetings will be held in room 105 with remote access also available.

Members of the SBCAC and others participating in the meeting introduced themselves.

**Administrative Items**

Approval of Minutes from Previous Meeting

The May 19, 2021, draft SBCAC meeting minutes were approved as written.

**Informational Items**

Environmental Management Assistance Program (EMAP)

Jeremy Hancher, EMAP Program Manager, provided an update on EMAP activities. Mr. Hancher reported that in the third quarter of 2021 (July 1 through September 30), EMAP received 25 requests for technical assistance; 14 of them were received through the EMAP hotline and 11 were received through other means, such as directly through the EMAP website or somewhere online, or direct referrals.

Ten requests were from small businesses referred by DEP staff, nine were air quality-related, and one was waste-related. In addition, seven found EMAP's info online, six were referred by Small Business Development Centers (SBDC), and two were "unknown" as to how they found EMAP. Eight of these technical requests were air quality permit-related. There were seven new EMAP clients that entered into a new SBDC/EMAP client engagement during the quarter – all small businesses that have never worked with EMAP previously.

EMAP assisted or provided information to 73 small businesses. Major work output included: four Requests for Determination (RFD); five Plan Approval applications; 15 State-Only Operating Permit applications; five General Permit applications; and 15 Allegheny County Health Department (ACHD) installation/operating permit applications.

Mr. Hancher pointed out that EMAP has been receiving a lot of repeat general air quality issues, such as: helping businesses review permit conditions, work on recordkeeping systems, preparing for Annual Emission Statement (AES) reporting. Some businesses are looking to reduce permit fees by trying to go from synthetic minor to natural minor status. EMAP has also had client inquiries requesting information regarding the Small Business Advantage Grant (SBAG).

Mr. Hancher explained that EMAP staff attended a number of meetings and initiatives related to Climate Change and Environmental Justice to stay up-to-date in these areas and to figure out how small business concerns can be met and what resources may be available to small businesses.

#### Small Business Ombudsman (SBO) Report

Ms. Harmon provided an update on the status of the 2020-2021 SBAG program. All projects for last year's grant (2020-2021) are finalized and there will be a storymap format of the final report made available on the SBO website in the upcoming months.

The current year's (2021-2022) SBAG opened for applications on July 23, with \$1,000,000 available in grant funds. So far, the program received a total of 80 applications. There has been \$182,517 in grant funding approved, with an additional \$141,770 requested, for a total of \$324,287, leaving more than \$675,000 left to be awarded. She mentioned that there were fewer applications this year, compared to this time last year. She has been working on outreach to contacts that she has and plans to do additional outreach to increase the volume of applications.

Ms. Harmon mentioned that lighting projects have accounted for the vast majority of funds awarded, with 52 applications being lighting projects. Other projects have been for medical equipment, such as digital x-ray machines and intra-oral scanners. HVAC, boilers, and a natural resource protection project.

Mr. Kaplan asked Ms. Harmon if she has any information regarding the SBAG that she could send to him so that he could pass to the National Federation of Independent Businesses (NFIB) to possibly spur more SBAG applications. Ms. Harmon said that she would send him along a message later that day.

Mr. Kaplan and Mr. Schroth asked a variety of questions regarding eligibility requirements and award thresholds for SBAG. Ms. Harmon explained what those requirements are, which can all be found on DEP's SBAG webpage. She explained that next year, they are considering some changes to the program where they will weigh the reimbursement amount more closely to the environmental impact, so those making greater emission reductions or greater energy reductions would be eligible for more

money. She hopes to have a rough outline of those changes ready for the January SBCAC meeting, followed by a preliminary draft document that would be ready for the Spring 2022 SBCAC meeting.

Mr. Hancher asked if there have been any pollution prevention projects. She said that they have had medical equipment projects with the digital x-rays and also the natural resource protection project.

Ms. Harmon mentioned that they have only had 6 ineligible projects this year. She pointed out that they have gotten a lot of questions about solar related projects and explained that SBAG funding does not cover solar panels but will cover agricultural solar pumping.

She explained that there are resources available for those interested in solar energy through the Pennsylvania solar energy resources hub and through DCED, which can be found at: <https://www.dep.pa.gov/Citizens/solar/Pages/default.aspx> and <https://dced.pa.gov/programs/solar-energy-program-sep/>. Mr. Kaplan requested these links out to the Committee via email.

Ms. Harmon explained the upcoming plans for a website redevelopment to consolidate the information of the (SBO), SBCAC, and the Small Business Environmental Assistance Program (SBEAP), to create a one-stop-shop for small business on DEP's website. Mr. Schroth felt this is a good idea, as having to search for websites to gather this information is time consuming. Mr. Kaplan said that he likes the idea of bringing the "three legs" of the small business program together on one webpage.

Ms. Harmon explained that she is sitting on the National SBEAP Environmental Justice Subcommittee and that a focus of DEP is around Environmental Justice. DEP is looking at ways to modify SBAG to provide support for small businesses in Environmental Justice areas – looking at possible options, such as higher rewards or the ability to combine projects.

## **Regulatory Item**

Draft Proposed Rulemaking: Amendments to the Pennsylvania Clean Vehicles Program  
BAQ Environmental Group Manager, Chris Trostle, presented on the Amendments to the Pennsylvania Clean Vehicles Program (PCV). He provided an overview of the proposed adoption of the current California Zero Emission Vehicle (ZEV) program for Pennsylvania and discussing the potential effects of the proposed amendments on Pennsylvania small businesses.

Ms. Foster asked when the proposed rule is expected to be considered by the EQB. Mr. Trostle answered that the proposed rule is expected to be considered by the EQB in the first quarter of 2022, with the final rule anticipated to be considered by the EQB in the fourth quarter of 2022.

Ms. Harmon asked if this rule would change as the California rule changes over time, or if the rule will always be in the form of the current California rule. Mr. Trostle and Ms. Foster explained that DEP is treading carefully and that the proposed rulemaking will not automatically incorporate CARB's future changes to the ZEV portion of the PCV Program. Changes to the California rule are being closely monitored. DEP would evaluate the appropriateness of these changes before proposing an update of the PCV Program.

Mr. Schroth noted that larger trucks may be an issue for small businesses. Mr. Trostle explained that this rule only applies to passenger and light-duty trucks, 8500 pounds and less. Mr. Schroth expressed concerns that using California as the model for this rule would likely cause pushback from the small business community. He also expressed concern about moving so many vehicles over to electric, as this would result in more electricity usage in Pennsylvania, and that this, in combination with a drawdown of hydrocarbon-based energy generation, could cause electricity shortages. Mr. Trostle pointed out that most light-duty EV's charge overnight when less electricity is being used across Pennsylvania, which should mitigate issues with electricity shortages. He explained that EV fleet penetration is anticipated to slowly ramp up.

Ms. Harmon pointed out that the program will affect dealerships in the urban markets before other areas of the state and asked when the other areas would see the effects of the rulemaking by getting more EVs at their dealerships. Mr. Trostle explained that the program is market driven, and that more purchases are happening in urban areas likely due to there being more charging stations in those areas. He expects other areas would see the effects as charging infrastructure expands across the state.

#### Energy Programs Office (EPO) Update

Kerry Campbell, Environmental Program Manager, Energy Programs Office, provided an overview of a new Agriculture Energy Efficiency Rebate Program along with information about recently completed Pennsylvania Clean Energy Industry Workforce Development Reports (Reports).

Mr. Campbell asked the Committee to get the word out about the Reports and to share them with others (link to Reports is included in the presentation). Ms. Harmon said she would share the link with the Committee via email.

Mr. Schroth suggested that Mr. Campbell and others who have been working on the Reports to consider reviewing the Inflection Points Reports developed by the Allegheny Conference on Community Development. The reports provide insights into workforce needs in ten counties surrounding Allegheny County, and include information on employment trends in the energy sector. Mr. Schroth said that he would share these reports with Mr. Campbell and the Committee via email.

Mr. Hancher asked when the pilot program for the Energy Rebate program ends and if businesses could "double dip" in awards from this rebate program and from SBAG. Mr. Campbell explained that businesses should not be awarded funds from both the Energy

Rebate Program and from SBAG for the same project, although it may be possible for businesses to get funding for separate projects. Ms. Harmon, who is also involved in the development of this program, explained that funding from both sources is possible in certain cases where large projects can be split up. She used an example where a project could not be awarded by both programs for the same lighting fixtures, however if there were two separate lighting projects, each of those projects could be funded by one of the awards programs. Mr. Campbell followed up on Mr. Hancher's other question, explaining that the pilot program will end in June of 2022, and after that, EPO may search for additional funding for the program or possibly work to create an even bigger program if there is enough interest.

#### Approval of 2022 Meeting Schedule

The Committee unanimously voted to approve the 2022 meeting schedule as follows:

- Thursday, January 27
- Wednesday, April 27
- Thursday, July 28
- Wednesday, October 26

#### Adjournment

The SBCAC meeting was adjourned at 12:14 p.m.