

SMALL BUSINESS COMPLIANCE ADVISORY COMMITTEE MEETING MINUTES

JANUARY 27, 2022

Members Present: Dale Kaplan, Walter Schroth, Jeremy Hancher, Samantha Harmon, Laura Griffin, Rebecca Oyler, Terrell Martin (virtual)

Others Present: Susan Foster, Nancy Herb, Lucas Hershey, Sarah Pinter, Matt Toth, Darek Jagiela, Sandra Schroth, Charles Boritz, Viren Trivedi, Jennie Demjanick, Naishadh Bhatt, Mark Hammond (virtual), Lee Ann Briggs (virtual), Glendon King (virtual), Robert Routh (virtual), Josephine Martin (virtual)

Call to Order and Introductions

The Small Business Compliance Advisory Committee's (SBCAC or Committee) January 27, 2022, 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.

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

Administrative Items

Approval of Minutes from Previous Meeting

The October 27, 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 fourth quarter of 2021 (October 1 through December 31), EMAP received 25 requests for technical assistance; 14 of them were received through the EMAP hotline and 16 were received through other means, such as directly through the EMAP website or somewhere online, or direct referrals.

Six requests were from small businesses referred by DEP staff, four were air quality-related, and two were waste-related. 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 were small businesses that have never worked with EMAP previously.

EMAP assisted or provided information to 71 small businesses, located in 33 of Pennsylvania's 67 counties. Those businesses employ a total of 3,549 full-time employees and 154 part-time employees. Major work output included: three Requests

for Determination (RFD); four Plan Approval applications; 13 State-Only Operating Permit applications; three General Permit applications; and ten Allegheny County Health Department (ACHD) installation/operating permit applications.

Mr. Hancher said that there was an uptick in questions regarding hazardous & residual waste, which is likely because of the 2021 Biennial Hazardous Waste Report due March 1, 2022.

Mr. Hancher mentioned EMAP's partners at the recycling market center released a website called the "Circular Merchant," a free online materials exchange in Pennsylvania. It works as an online marketplace for businesses and individuals to reuse and recycle materials, helping them to cut costs and reduce waste. Mr. Hancher said that he would provide the Committee with a website link to the Circular Merchant (www.circularmerchant.com).

Mr. Kaplan followed up on a point Mr. Hancher made regarding a new requirement for some small businesses to acquire an EPA Identification Number on DEP's GreenPort web portal, for reporting hazardous waste information. Mr. Hancher had explained that some small businesses are having difficulties navigating the login process and webpage. Mr. Kaplan asked if Mr. Hancher could write some brief instructions to include in the upcoming Pennsylvania Drycleaner Association (PDCA) newsletter, explaining how small businesses can navigate GreenPort. Mr. Hancher said he would put this information together and forward it to Mr. Kaplan.

Small Business Ombudsman (SBO) Report

Ms. Harmon provided an update on the status of the 2020-2021 Small Business Advantage Grant (SBAG) program. In total SBAG awarded \$979,475 of the \$1,000,000 in available. When available, the final report will be posted.

The current year's (2021-2022) SBAG program has received 137 applications. There has been approximately \$522,000 in grant funding approved or pending approval, leaving approximately \$478,000 left to be awarded. Interested businesses should submit their applications as soon as possible, as the current funding round will close after April 2022.

Ms. Harmon mentioned that 19 projects have been approved for reimbursement so far, for more than \$85,000. As usual, lighting projects have accounted for the majority of funds awarded, with 90 of the 125 applications being lighting projects. Medical equipment, such as digital x-ray machines, HVAC and APU projects were also common project types.

Ms. Harmon also mentioned some of the more interesting/uncommon projects. SBAG received its first ever application for an agricultural solar pumping project, which is a solar powered watering station for livestock pastures. This helps reduce waste going into streams from livestock and eliminates use of fossil fuel powered watering stations.

Another project involves a new water jet machine for cutting shapes out of a material. The water jet on the new machine will make more efficient use of water.

For next year, the SBO's Office is considering increasing SBAG funding for projects in Environmental Justice areas and for projects that provide greater environmental benefits. Currently, the maximum project award is \$5,000 or 50% of project cost. Mr. Schroth asked if the funding amounts for these special cases would increase the maximum dollar amount awarded or reduce the project match requirement. Ms. Harmon responded that both changes are under consideration.

Mr. Hancher mentioned being contacted by a farmer having difficulty accessing the Department of Community and Economic Development (DCED) online grant portal. Ms. Harmon suggested directing people with questions to the recording of the December 2021 Grants 101 webinar, which provides a walkthrough of the grants process and how to complete an application. The webinar is available on DEP's Grants webpage, near the upper right side of the page (www.dep.pa.gov/Citizens/GrantsLoansRebates).

Ms. Harmon mentioned that she is trying to increase awareness of the Pollution Prevention Assistance Account (PPAA) Loan Program. DEP partners with DCED to administer a low interest fixed rate loan program with \$1,425,000 in loan funds available to all businesses (not just small business), for projects that reduce or prevent pollution. This loan may be helpful for higher cost projects or projects not eligible under the SBAG program. Mr. Schroth asked what types of projects are covered under the loan. Ms. Harmon explained that there are a wide variety of eligible projects, and she would provide information to Mr. Hershey to forward to the Committee regarding the PPAA Loan Program.

Ms. Oyler asked if Ms. Harmon would consider adding industry specific resources to the SBO website as it might be helpful to have access to a one-stop-shop for this information. Ms. Foster mentioned that the National Small Business Environmental Assistance Programs (National SBEAP) website (www.nationalSBEAP.org) does include industry specific resources for small businesses. Mr. Hancher said that EMAP also provides industry specific resources on their website (www.askEMAP.org). He explained that the EMAP resources are more specific to Pennsylvania as compared to the resources the National SBEAP provides.

Draft Final-Form Rulemaking: Control of VOC Emissions from Oil and Natural Gas Sources

Charles Boritz, Air Quality Engineer, and Viren Trivedi, Environmental Program Manager presented the draft final-form rulemaking for the "Control of VOC Emissions from Oil and Natural Gas Sources." The rulemaking implements the recommendations contained in the Control Techniques Guidelines issued by EPA for the oil and gas industry.

Ms. Oyler asked how the rulemaking distinguishes between conventional and unconventional oil and gas wells, as required by Act 52. Ms. Demjanick explained that

Act 52 amended the Oil and Gas statute. This rulemaking is being promulgated under the authority of the Air Pollution Control Act, and is specific to air contamination sources, not oil and gas wells.

Mr. Schroth then asked if the rulemaking impacts more large or small businesses. Mr. Boritz explained that the rulemaking covers both large and small business. The applicability of the requirements is based on potential emissions and production at a wellsite, not the number of employees.

Mr. Kaplan asked about the economic impact on small business. Mr. Boritz explained that this information can be found in the Regulatory Analysis Form (RAF) for the rulemaking. In the analysis, DEP identified more than 5,000 entities that could be subject to the regulation. Of those, approximately 3,800 were identified as small businesses. While there are annual costs related to the replacement and maintenance of emission controls, these costs are offset by savings from gas not being vented to atmosphere. In the RAF, the price for natural gas was set very low, resulting in a net cost to the industry. However, recently, natural gas prices have risen significantly. At these higher prices, the emission controls from this regulation are estimated to result in overall savings for the industry.

Ms. Harmon pointed out that questions from the Committee mostly focus on the economic impact of the rulemaking on small businesses. She recommended small business information be included in the presentations for SBCAC in the future, to better inform on the impact to small business.

Approval to Reschedule July 27, 2022, SBCAC Meeting to August 24, 2022

The Committee unanimously voted to approve rescheduling the July 27, 2022, SBCAC meeting to August 24, 2022. This change more closely aligns the summer SBCAC meeting with the Air Quality Technical Advisory Committee's (AQTAC) August meeting, which better streamlines DEP's preparation and review of meeting materials for both Committees.

Adjournment

The SBCAC meeting was adjourned at 11:27 a.m.