

SMALL BUSINESS COMPLIANCE ADVISORY COMMITTEE MEETING MINUTES

October 23, 2024

Members Present: Dale Kaplan, Laura Griffin, Samantha Harmon, Jeremy Hancher (Virtual), Donald Poligone (Virtual), Richard Burrell (Virtual)

Call to Order and Introductions

The Small Business Compliance Advisory Committee's (SBCAC or Committee) October 23, 2024, 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 Teams conference call.

Members of the Committee and attendees in Room 105 introduced themselves.

Administrative Items

Approval of Minutes from Previous Meeting

The April 17, 2024, draft 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 2024 (July 1 through September 30), EMAP received 22 requests for technical assistance; 11 of them were received through the EMAP hotline, and 11 were received through other means, such as directly through the EMAP website or direct referrals.

There were eight technical requests that were air quality permit related. There were seven requests referred by DEP, five of which were air quality related. There were eight new EMAP clients that entered into new SBDC/EMAP client engagement agreements during the quarter. EMAP conducted two onsite assessments for the quarter.

EMAP assisted or provided information to 74 small businesses and conducted two onsite assessments. There were eight new EMAP clients during the quarter. Major work output included: 10 Requests for Determination (RFD); five Plan Approval applications; 15 State-Only Operating Permit applications; three General Permit applications; and 11 Allegheny County Health Department (ACHD) installation/operating permit applications.

There were multiple inquiries related to Request for Determination submittals. Other inquiries included lead dust sampling, odor complaints, Allegheny County Health

SBCAC Meeting Minutes 10/23/2024

Department operating permit renewals, emissions recordkeeping, and assisting a client in determining stack testing requirements for the renewal of a State Only Operating Permit.

EMAP received requests relating to waste management and recycling. They assisted with residual and hazardous waste, beneficial use permits, and recycling, along with helping with inquiries relating to episodic events.

There were various referrals from Small Business Development Centers and EPA Region 3's business assistance line, including assistance with environmental performance audits, pesticides labeling, and general support for an explosives manufacturer.

Mr. Hancher said that EMAP assisted a client with the Pollution Prevention Assistance Account (PPAA) loan in the Spring for a lighting and HVAC project. DEP's approval of the application went quickly, but the loan review and approval process took longer, and the business had to take out a bridge loan to pay for some of the installation costs.

He shared that there is a grant opportunity available to farms through the Pennsylvania Department of Agriculture, called the Agricultural Innovation Grant. This grant is open through November 15, 2024. To be eligible for funding, projects must showcase innovative advancements in sustainability, agricultural efficiency, energy production, and technological applications in agriculture. EMAP met virtually with a startup that is interested in funding opportunities that could fall under this grant.

Small Business Ombudsman (SBO) Report

DEP SBO, Samantha Harmon, began by providing an update on the status of the Small Business Advantage Grant (SBAG) program. The 2023-2024 SBAG grant program closed on March 22, 2024. There were 169 applications received, of which 147 were approved, with a total of \$797,828 in funds requested.

The 2024-2025 SBAG is now open. The max grant award increased from \$8,000 to \$12,000. The lowest tier grant award amount increased from \$5,000 to \$7,500. Now that the max award amounts have increased, the SBO office has been seeing requests for the higher award amount. On September 27, the SBO office sent outreach emails announcing the 2024-2025 SBAG to approximately 500 contacts. There have been 17 applications received for \$74,570 so far. No applications have been approved yet, although there are some applications in the final stages of review.

Ms. Harmon said that they have streamlined the SBAG calculator tool and are piloting a new category for non-agricultural natural resource protection for stormwater management projects. The SBO office is interested in seeing the data on how stormwater management projects reduce pollution entering local waterways. They are also piloting a grant eligibility category for coin, token, or credit operated machines, such as food/beverage, washer/dryers, car washes, etc.

The SBO Office plans to update SBAG guidance videos and the website. However, there is currently a department-wide freeze on website updates as DEP is working to migrate the DEP website to a new platform.

The PPAA loan program has \$1,690,884 available as of July 2024. There have been four approved loan applications in 2024, totaling approximately \$311,000. There have also been three loan applications denied in 2024. Ms. Harmon mentioned the SBO Office is looking to revise application documents and program guidance for PPAA to simplify and optimize the application process.

She shared that DEP has a new internal tool to better determine whether a business is a small business. The tool has features allowing the user to search and sort Pennsylvania businesses; for example, searching by NAICS code. The tool was developed in coordination with the Governor's office and other State agencies who compile information relating to small business status, and requires confidentiality relating to the information contained within. This tool is useful to the SBO office as it helps quickly determine if small businesses are eligible for grant funding and improves outreach to those businesses that might qualify for funding or be affected by DEP activities. The tool should also prove helpful to DEP for regulation development purposes, by helping to determine the number of businesses potentially affected by a rulemaking.

Mr. Kaplan asked if the SBAG application can be printed out. Ms. Harmon said that the application questions are printed in the program guidelines, but applications must be submitted electronically. The application instructions and guidance are available online, detailing the steps of the application process.

Development of a Standard Protocol for Small Boilers under General Permit 1 (GP-1)
Matthew Bomberger, DEP Bureau of Air Quality Source Testing Section, presented an overview of the Bureau of Air Quality's (BAQ) plan to create a standard source testing protocol for small boilers covered under General Permit 1 (GP-1).

Mr. Bomberger explained that the standard protocol would simplify the source testing process for small boilers operating under GP-1, saving costs and time, as compared to submitting a facility-specific source testing protocol to DEP for approval. The standard protocol is expected to be ready in 2025 and use of the standard protocol will be optional.

Mr. Kaplan asked whether the small boiler that he uses might be impacted. Ms. Herb indicated that the smallest boilers are exempt from permitting requirements altogether.

Mr. Hancher asked Mr. Bomberger if he knew a rough estimate of GP-1 authorizations issued state-wide. Mr. Bomberger estimated that he receives source test reports from approximately twenty GP-1 facilities each year. Mr. Lazor followed up later in the meeting, saying that there are approximately 170 GP-1 authorizations currently issued in Pennsylvania.

Emissions Guidelines (EGs) for Greenhouse Gas (GHG) Emissions from Existing Crude Oil & Natural Gas Facilities (40 CFR Part 60 Subpart OOOOc)

Naishadh Bhatt, of DEP's Bureau of Air Quality Technical Support Section, presented EPA's new requirements under 40 CFR Part 60 Subpart OOOOc. Subpart OOOOc requires states to set new requirements for existing oil and natural gas operations to reduce greenhouse gas emissions. Pennsylvania has the option to either adopt the federal standards or develop standards that are no less stringent than the federal standards. DEP plans to submit a State Plan to EPA by March 8, 2026.

Mr. Hancher asked how common flaring is at well sites. Mr. Trivedi explained that flaring is required after an emission threshold is met. Once the reporting requirement is in place, more data will be available.

Mr. Hancher asked for DEP's perspective on EPA's "Super Emitter" program as it relates to third party detections and those third parties reporting to EPA. Mr. Bhatt indicated that it should not create any issues, as DEP will likely have access to the data reported to EPA through a web portal. DEP could then do any needed analysis with that data.

Streamlining Permits for Economic Expansion and Development (SPEED) Program

Sean Wenrich, Environmental Engineer Manager in the New Source Review Section, presented on the SPEED program. The program is designed for the expedited review of permit applications by qualified professionals (QP). For Air Quality, applicants may request that state-only plan approval applications be reviewed by QPs under the SPEED program. Applicants are responsible for QP costs. The final application decisions are made by DEP.

An invitation for QPs to bid was posted on October 4, 2024. Bids must be received by 4:00 PM on December 31, 2024. DEP will review applications and determine the successful QPs.

Mr. Burrell asked if the SPEED program would apply to National Pollutant Discharge Elimination System (NPDES) and Earth Disturbance permits under chapter 102. Mr. Wenrich said that it will. Mr. Burrell was pleased the program would be an option.

Mr. Burrell asked if DEP could provide the solicitation for the SPEED program. Mr. Hershey will share a web link to the solicitation announcement by email to the Committee.

Mr. Hancher inquired about the potential impact of the SPEED program on small businesses obtaining air quality permits and asked if it is likely that small businesses would use the program. Mr. Wenrich explained that the costs of hiring a QP could deter small businesses from utilizing it. The program is expected to be mainly used for larger projects. However, major facilities are ineligible for SPEED; it is only available to minor facilities that are eligible for a state-only operating permit. While the program is not

SBCAC Meeting Minutes 10/23/2024

necessarily anticipated to be widely adopted by small businesses, predicting its actual usage is challenging, as there could be small business use cases. Mr. Hancher agreed that there are likely some specific niche cases where small businesses use the program; for example, companies that are growth oriented could potentially find value in the program.

Other Business and Discussion

Mr. Hancher reiterated a request for more information, possibly a presentation at the SBCAC meeting, on the Reducing Industrial Sector Emissions in Pennsylvania (RISE PA) program. RISE PA is a \$396 million statewide industrial decarbonization grant program funded through the U.S. Environmental Protection Agency's (EPA) Climate Pollution Reduction Grants under the Inflation Reduction Act of 2022. Mr. Hershey will work to get more information on this and explore the possibility of a presentation at a future SBCAC meeting.

Election of Officers

The Committee unanimously voted to approve the 2025 meeting schedule as follows:

- Wednesday, February 26
- Thursday, May 22
- Wednesday, August 27
- Thursday, November 20

Adjournment

The SBCAC meeting was adjourned at 11:36 a.m.

The next SBCAC meeting is scheduled for February 26, 2025.