

SMALL BUSINESS COMPLIANCE ADVISORY COMMITTEE MEETING MINUTES

August 23, 2023

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

Call to Order and Introductions

The Small Business Compliance Advisory Committee's (SBCAC or Committee) August 23, 2023, meeting was called to order by Chair, Dale Kaplan, at 10:01 a.m. in the Rachel Carson State Office Building, 12th Floor Conference Room, Harrisburg. Several in attendance also joined via Teams conference call.

Due to Dale Kaplan experiencing some technical difficulties on the call, Vice Chair Walter Schroth, assisted in leading parts of the meeting.

Administrative Items

Approval of Minutes from Previous Meeting

The August 24, 2022, draft meeting minutes were approved as written.

Informational Items

Environmental Management Assistance Program (EMAP)

Jeremy Hancher, EMAP Program Manager, provided an overview of EMAP and the services they provide. EMAP offers free and confidential environmental technical assistance to small businesses across the Commonwealth of Pennsylvania. EMAP is headquartered at Widener University and offers its specialized program as part of the Pennsylvania's Small Business Development Center (SBDC) network. There are 15 SBDC center locations across the Commonwealth. EMAP consultants also operate out of SBDCs at the University of Pittsburgh and Shippensburg University.

Mr. Hancher explained that in 2022, 90% of EMAP clients had 100 employees or less, and the largest segment of EMAP clients had one to ten employees. Most client referrals to EMAP are by word of mouth. Referrals also commonly come from SBDCs, the Pennsylvania Department of Environmental Protection (DEP) referrals, the Environmental Protection Agency (EPA), and partner organizations. Small businesses access EMAP services by calling EMAP's toll-free hotline and visiting the EMAP website.

If the estimated time of a customer inquiry is greater than one hour, EMAP asks the customer to become a client of EMAP and the SBDC. The customer then fills out an

online form. The data from this form helps EMAP to record metrics, see historical information, discover trends, and gain new insights. The data collected was used to generate the following table to look back at the last four calendar quarters since SBCAC last met in August 2022.

EMAP reported the following activity since the last SBCAC meeting held in August 2022:

	<u>Q3-2022</u>	<u>Q4-2022</u>	<u>Q1-2023</u>	<u>Q2-2023</u>		<u>TOTAL</u>	<u>AVG</u>
Businesses provided with in-depth assistance (> 1.0 hr)	87	83	99	88		N/A	89.25
Calls to EMAP hotline	10	11	16	7		44	11
Non-hotline contacts (emails or direct calls)	11	12	24	13		60	15
Site visits	11	8	10	7		36	9
Requests for Permit Assistance	8	11	8	9		36	9
New Clients Assisted	10	10	10	9		39	9.75
Referrals from DEP staff for air compliance assistance	6	11	6	8		31	7.75
General requests for air permit assistance	7	9	5	8		16	7.25
RFD in progress and/or submitted for review by DEP	12	4	6	6		28	7
RFDs approved	3	7	1	5		16	4
Plan Approval in progress and/or submitted for review	4	6	8	4		22	5.5
Plan Approvals Issued	0	0	3	2		5	1.25
Operating Permits in progress and/or submitted	7	7	6	11		31	7.75
Operating Permits Issued	4	7	4	3		18	4.5
General Permits in progress and/or submitted	0	0	1	1		2	0.5
General Permits Issued	1	0	0	1		2	0.5

Mr. Hancher mentioned that roughly one-third of EMAP clients are located in Environmental Justice (EJ) areas (based on DEP's EJ Viewer tool). Mr. Schroth asked if the EJ Viewer tool was a mapping tool and if it is something that is publicly available. Mr. Hancher explained that this tool is available to the public online on DEP's website.

Ms. Harmon explained that the EJ Viewer tool is in the process of being upgraded with additional capabilities, and that a new version will be released in the coming months. Ms. Griffin added that DEP plans to present on a new EJ Policy and the EJ mapping tool at the next SBCAC meeting. Mr. Schroth thanked DEP for this information and explained that he looks forward to the presentation at the next meeting and is curious about the impacts of the policy on Pennsylvania small business.

DEP's Division Chief for Compliance and Enforcement, Susan Foster, mentioned that the general permit for human and animal crematories is in the process of being amended by DEP. The amendment will reduce the allowable temperature of the cremation furnace from 1800°f degrees to 1600°f and will allow opening the door to make adjustments during the cremation.

Mr. Hancher said that EMAP's small business clients in the cremation sector often cannot use the general permit and instead need to apply for a plan approval and state-only operating permit, which is a more expensive and time-consuming process. Mr. Hancher hopes that with the amendment more of these small business crematories will be able to use the general permit.

Small Business Ombudsman (SBO) Report

DEP Small Business Ombudsman, Samantha Harmon, began by providing an update and overview of Annual Reports for DEP's Small Business Environmental Assistance Program. These reports can now be found online on DEP's SBO webpage, which now includes storyboard style webpages that cover annual reports for fiscal years 2019-2020 through 2021-2022.

Ms. Harmon provided an update on the status of the Small Business Advantage Grant (SBAG) program. All projects for last year's (2022-2023) grant had to be completed by June 30 to be eligible for reimbursement. The total project count for last year's (2022-2023) grant was 161, and there are 13 projects left to process. The total amount awarded was \$752,331 of \$1,000,000 in available funding.

The 2023-2024 SBAG Grant round opened to applications on August 18, 2023. Ms. Harmon has requested roll over of unused grant money from 2022-2023, so total funding available is to be determined. Eligibility and requirements for this year's grant round are generally the same as last year.

Next, she discussed the Small Business Pollution Prevention Assistance Account (PPAA) Loan Program, which is available to all small businesses for pollution prevention or energy efficiency projects at a two percent fixed interest rate. There have been two applications to PPAA in the last year. PPAA account currently has approximately \$1.58 million available. Businesses can apply for loans up to \$100,000 for a variety of environmental project types.

Ms. Harmon shared her experience attending the Small Business Resource Fair in May 2023 in Darlington Township. The event provided resources available to businesses in Pennsylvania that may have been impacted by the East Palestine train derailment. A flyer was developed by the SBO office to share with businesses that may have been impacted. The flyer includes contact information and resources from various agencies that can provide assistance.

After Ms. Harmon's presentation, Mr. Schroth asked Ms. Harmon for additional information on the PPAA loan. Mr. Hershey said he would provide a follow-up email to the Committee that includes a link to information on the PPAA loan, along with other follow-up items from the meeting.

Pennsylvania's Small Business Environmental Assistance Program

DEP Staff member and SBCAC Liaison, Lucas Hershey, provided a refresher presentation on Pennsylvania's Small Business Environmental Assistance Program. The presentation detailed how the program originated and broke down the three components that make up Pennsylvania's program: the Small Business Technical Assistance Provider, the Small Business Ombudsman, and the Small Business Compliance Advisory Committee. He then detailed how the coordination of the combined program operates to effectively assist small businesses across the state with their air quality and other environmental needs.

Other Business & Discussion

Mr. Hancher mentioned two recent EPA rules. One is a proposed rule relating to Ethylene oxide sterilizer facilities. There are currently three of these facilities in Pennsylvania. While there is no direct impact on small businesses in Pennsylvania, there is concern in the small business community that the rule could create a trickle-down effect in the small business supply chain. The second EPA rule proposes a phase out Perchloroethylene (perc) across all industries over a ten-year period. This proposed rule would have a direct impact on small drycleaners that are still using perc as a cleaning agent.

Mr. Hancher also provided information on EPA's proposed Air Emissions Reporting Rule (AERR). Once final, this rule will require additional small businesses to report their emissions. EPA will be holding a webinar on August 24, targeting Small Business and tribal environmental professionals.

Regarding the perc rule, Mr. Kaplan indicated that the 10-year phase out should not be much of a concern for those in the dry-cleaning industry, as most of the industry has already switched to more environmentally friendly alternatives.

Ms. Oyler asked if funds from the Small Business Advantage Grant could be used to cover expenses for the replacement of perc machines. Ms. Harmon explained that those funds cannot be used for compliance with regulatory requirements once a rulemaking is final.

Election of Officers

Mr. Hancher opened the floor for nominations for Chair and Vice Chair for SBCAC.

Ms. Oyler nominated Mr. Kaplan as Chair, and Mr. Burrell seconded this nomination. Mr. Kaplan nominated Mr. Schroth as Vice Chair; and Mr. Burrell seconded this nomination as well.

The Committee unanimously re-elected both Mr. Kaplan as Chair and Mr. Schroth as Vice Chair.

Adjournment

The SBCAC meeting was adjourned at 11:56 a.m.