

SMALL BUSINESS COMPLIANCE ADVISORY COMMITTEE MEETING MINUTES

May 22, 2025

Members Present: Dale Kaplan, Walter Schroth, Laura Griffin, Samantha Harmon, Jeremy Hancher, Rebecca Oyler, Eric Kuijpers, Donald Poligone (Virtual), Richard Burrell (Virtual)

Call to Order and Introductions

The Small Business Compliance Advisory Committee's (SBCAC or Committee) May 22, 2025, meeting was called to order by Chair, Dale Kaplan, at 10:01 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 February 26, 2025, 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. He explained that EMAP provides free and confidential environmental technical assistance to small businesses in PA as specified by the Clean Air Act and the PA Air Pollution Control Act. Mr. Hancher reported on activities for the first quarter of 2025 (January 1 through March 31).

EMAP received 26 requests for technical assistance; 13 of them were received through the EMAP hotline, and 13 were received through other means, such as directly through the EMAP website or direct referrals. There were eight requests referred by DEP, five of which were for air quality, two were for waste, and one was energy related.

There were nine total requests for permit assistance, seven being air quality permit related, and two being for waste permits.

EMAP assisted or provided information to 72 small businesses. There was one new EMAP client during the quarter, and EMAP conducted one onsite assessment in that time. In the first quarter, EMAP put most "new" clients in a holding pattern until fully staffed. Already in the second quarter, EMAP has six new clients, and four onsite assessments conducted.

Major work output included: four Requests for Determination (RFD); two plan approval applications; 12 state-only operating permit applications; one general permit application; and nine Allegheny County Health Department (ACHD) installation/operating permit applications.

Air quality compliance continues to be a major area where small businesses seek EMAP expertise. For example, EMAP assisted at least 7 small businesses with their Air Emissions Statements (AES) reports that were due on March 1, 2025. EMAP also received some requests/referrals well after March 1 because DEP found that some small businesses had completed the report incorrectly and thus needed revisions.

EMAP also addressed multiple requests concerning ACHD semiannual reporting, fielded questions about permit renewal windows, application requirements, provided guidance on areas related to rock crushing operations and helped businesses submit online Requests for Determination including air pollutant estimates and calculation methods.

EMAP frequently assists human and animal crematories. This quarter, they supported six crematory clients, including a Philadelphia startup seeking air permit guidance. EMAP provided them with contacts for Philadelphia Air Management Services and business resources. Some assistance was for transitions to General Permit 14.

EMAP addressed waste management inquiries, assisting a business reclassifying its hazardous waste status and reviewing solvent usage. They also guided a company through beneficial use permit applications for electronic waste, connecting them with environmental consultants. In one case, EMAP provided resources to an individual needing a Professional Engineer (PE) for a rural waste transfer permit, offering a shortlist of environmental firms for assistance.

A service-disabled veteran entrepreneur, referred by a nearby Small Business Development Center (SBDC), sought EMAP's help in marketing a sustainable oil and lubricant alternative for military use. The individual is also working with the SBDC's APEX Accelerator, which helps small businesses enter the government procurement market and find government bid opportunities.

Many small businesses are still having difficulties navigating, using, and submitting forms electronically. This includes submitting permits in OnBase, completing reports (AES, CEDRI, GreenPort), and filling out grant applications that are now required to be fully electronic. EMAP is committed to helping businesses understand these various portals and help guide them through each subsequent online entity. EMAP has been actively engaging in outreach efforts. On March 7, they participated in the Sustainable Newtown Square Green Business Coalition Mini Conference, which gained notable press coverage in Delaware County. In January, Mr. Hancher was interviewed for, and included in, a Philadelphia Inquirer article and provided insights on small business disaster planning.

Mr. Hancher will attend the Pennsylvania SBDC Growth Conference in State College from May 27-29, contributing to a panel on the Reducing Industrial Sector Emissions in Pennsylvania (RISE PA) program, where he will share insights on the program with SBDC consultants. Additionally, he will exhibit and speak at the Pennsylvania Automotive Recycling Trade Society (PARTS) Summit and Expo on June 7.

EMAP welcomed Valerie Shaffer to the team on April 7. Based at the University of Pittsburgh Institute of Entrepreneurial Excellence with the SBDC, she brings valuable experience as a former Air Quality District Supervisor at DEP's Southwest Regional Office and as an Executive Assistant at DEP's Central Office.

Small Business Ombudsman (SBO) Report

DEP SBO, Samantha Harmon, began by providing an overview of her role as the SBO. She serves as an advocate for small businesses in PA to the DEP, not other agencies. The Small Business Advantage Grant program (SBAG) is an annual program for energy efficiency and pollution prevention and natural resource protection assistance. The 2024-2025 SBAG grant program closed on March 21, 2025. Over the course of the grant cycle, 117 applications were received, with a total of \$794,745 in funds requested. Of these applications, 105 were recommended and 12 were not recommended.

The 2025-2026 SBAG grant program has a targeted open date of either July 18 or July 25, 2025, with \$1 million in funding again. It is expected that there will be some minor document revisions, such as to the SBAG Guidelines and Grant Calculator. There are no major revisions planned.

The Pollution Prevention Assistance Account (PPAA) loan program has \$1,669,896 available as of April 1, 2025. Updates to the application documents and the creation of new program guidance are currently in progress.

On March 6, 2025, Ms. Harmon participated in a high school career expo, where DEP and Department of Conservation and Natural Resources collaborated. During the event, she and other representatives engaged with prospective job seekers, providing insights into their roles and career opportunities within their departments.

Ms. Harmon will be doing a presentation for the Pennsylvania Association of Accredited Environmental Laboratories. Many of these laboratories are considered small businesses. She will be presenting general information on what the SBO does. She will also be doing a presentation for the Pennsylvania Technical Assistance Program (PennTAP), as part of a webinar that will be focused on financial opportunities available to small businesses, where she will present on SBAG and PPAA.

Ms. Harmon actively engages in various committees, including DEP's Diversity, Equity, and Inclusion committees, the Funding Interagency Workgroup, and the Promotions Subcommittee of the Small Business Environmental Assistance Program (SBEAP). Additionally, she may be presenting on the SBAG program at the E4 Steering

Committee in July. She mentioned a pause in the revisions to the DEP small business assistance related webpages, due to a complete overhaul of the Commonwealth website in late 2024. Work will begin again on the webpage revisions during summer 2025. Plans are to make the webpages more engaging, interactive and easier to navigate.

The Bureau of Air Quality has been developing a small business database for use with regulatory development to sort out the impact of regulations on small businesses. There are considerations on using the database for outreach efforts as well, including informing businesses about funding opportunities, regulatory changes, and compliance assistance tools and resources.

Mr. Kaplan shared that transitioning his business away from solvent cleaning was made possible through SBAG. He commended Ms. Harmon and Mr. Hancher for their assistance in completing his application online. The transition to online applications frustrates him, and he worries that other older business owners may also find the application process difficult. Setting up the electronic funds transfer was especially challenging due to issues with his bank. While he has received funding from two grants in the past, this one has been the most difficult due to the technological requirements.

Ms. Oyler asked about the small business database the Ms. Harmon had referred to, wanting to know where the data is sourced and its accuracy. Ms. Harmon said the data is sourced from other state agencies. There is strong confidence in the data because organizations are required under law to report the specific data found in the database, such as employee counts and names and addresses. Companies can be searched by North American Industry Classification System (NAICS) code, which is helpful for finding all companies within a specific industry that will be affected by a rulemaking. Ms. Oyler asked if other states have similar databases. Ms. Harmon said that she is not aware of any that do.

Mr. Schroth followed up on Mr. Kaplan's point on difficulties with technical support over the phone, urging for improvements in this type of support. Ms. Harmon said she will work to improve DEP's Small Business Resources webpage to assist with this and provide an avenue for feedback for those who have difficulties.

2024 PM2.5 Year in Review

Sean Nolan, Chief of DEP's Air Quality Modeling Division, presented an update relating to the Environmental Protection Agency's (EPA) revisions to the fine particulate matter (PM2.5) National Ambient Air Quality Standard (NAAQS) implemented in February 2024. The presentation covered the revision of the primary annual standard to 9.0 µg/m³, the designation and exceptional event processes and reviewed meteorology and PM2.5 concentrations in Pennsylvania in 2024.

Eric Kuipers asked some general questions relating to the PM2.5 designation process. Mr. Nolan, Mr. Lazor, and Ms. Oyler broke down the process and reasoning for

designations, along with the possible impacts on small businesses in the areas designated as non-attainment.

2025 Annual Monitoring Plan

Mr. Nolan presented again, this time on DEP's Proposed 2025 Annual Monitoring Plan. The presentation explained the purpose of the plan, detailed changes to DEP's monitoring network in 2024 and detailed the proposed changes to the monitoring network in 2025.

Mr. Kuijpers asked if all sampling sites are standard and how location affects results, for example, moving a monitor from the roof to the ground. Mr. Nolan explained that changing the monitor location could impact readings, although the specific monitor in question was tracking the Bruce Mansfield facility in Beaver County, which has shut down. Monitoring is still required there because it is a non-attainment area, even though monitors are showing very low readings. Mr. Nolan continued, saying that most monitors are placed on the ground, but setups vary depending on what is being tracked. Lead monitors, for instance, are kept outside and on the ground, while other pollutants may require a temperature-controlled shelter. Regulations sometimes dictate where monitors can be placed, requiring them to be positioned at specific distances from drip lines, trees, and other potential obstructions. Additionally, the siting process can be time consuming, as installations often require coordination with landowners and contractors.

Mr. Hancher mentioned the funding from the Inflation Reduction Act that is being used to cover the costs for setting up the new monitoring sites and asked what the cost is to set up these sites. Mr. Nolan said that it can cost between \$200,000 to \$250,000 for each site. These costs cover the monitoring equipment, meteorological equipment, the costs of the shelter and its installation, landowner associated costs, building a fence, etc. The Inflation Reduction Act funding is crucial to fund the new sites.

A member of the public mentioned that gas-fired power plants are replacing coal-fired plants and asked if monitoring in the future will be focused on the gas-powered plants. Mr. Nolan explained that gas-fired plants can emit oxides of nitrogen, which can lead to elevated levels of ozone. He said that those facilities could certainly be considered in a future state implementation plan to address areas not meeting the ozone NAAQS.

Discussion of Philadelphia Ozone Contingency Measures

Deborah Wehr, Environmental Group Manager for DEP Air Quality introduced and opened discussion on Philadelphia's potential ozone contingency measures. DEP is seeking input from the SBCAC to identify contingency measures that will result in reductions of approximately 10 tons per day of volatile organic compounds and 10 tons per day of oxides of nitrogen in the Philadelphia area. These reductions are needed to meet EPA's contingency measure requirements for the Philadelphia Ozone State Implementation Plan.

Ms. Oyler asked if there has been any indication that the new administration is reconsidering this matter. Ms. Wehr responded that DEP's planning is based on current

requirements, and there has been no indication of it being reconsidered. Mr. Lazor added that, while the administration has introduced numerous proposals/changes, this issue has not been addressed.

Ms. Harmon asked if failure to submit is sanctionable. Mr. Lazor explained that it is sanctionable. He explained that Philadelphia has an ozone issue, just like many other large cities, such as New York. The easy solutions, such as permitting, have been implemented and DEP needs to sort out new creative ideas to address this difficult ozone problem.

Mr. Hancher asked when the plan needs submitted. Ms. Wehr said it needs to be submitted to EPA by January 2026, and therefore, it should be drafted this summer to get it approved and through public comment. Mr. Lazor explained that DEP is not looking for responses today but is looking to initiate a conversation about it. Ms. Wehr said that suggestions can be emailed to Mr. Hershey. Ms. Wehr explained that regardless of what can be implemented, DEP needs a list of things that are possible even if they all can't be implemented.

Ms. Oyler asked if other states were in the same situation and timeframe to develop contingency measures. Mr. Lazor responded that yes, other states have varying levels of nonattainment areas, but because of our voluntary bump up, the timeframes may not be the same.

Mr. Kuijpers asked whether reducing ozone levels outside of Philadelphia could contribute to meeting the EPA's requirements. Ms. Wehr explained that guidance indicates emission reductions in Western Pennsylvania would be considered acceptable if they can be effectively modeled to demonstrate a positive impact on ozone levels in Philadelphia.

Ms. Harmon inquired about the criteria for enforceability of the measures, asking whether they must take the form of a regulation, policy, or statement. Ms. Wehr responded that DEP is evaluating whether a policy would qualify.

Mr. Schroth inquired whether automobile emissions along the I-95 corridor are the main contributing factor to non-attainment. Ms. Wehr emphasized that mobile sources (such as automobiles), are a contributing factor, but they are regulated by the federal government rather than states. Mr. Schroth expressed concerns with implementing measures across the state to address air quality problems in Philadelphia. Mr. Lazor agreed and explained that this is why DEP seeks advice from committees to help find the best approaches and new ideas to solve these problems.

Mr. Schroth asked if a short document could be produced breaking down the key points and ideas, so the committee can have a better idea of what DEP is looking for – then discuss the topic again at a later meeting. Ms. Wehr said she will put together a summary sheet breaking down the highlights and have Mr. Hershey forward that to the Committee to be included as a follow-up item for this meeting.

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Public Comments

There were no public comments.

Election of Officers

Ms. Oyler motioned a roll call vote to elect Mr. Kaplan as Committee Chair and Mr. Schroth as Vice Chair. This motion was seconded by Mr. Burrell. The Committee elected Mr. Kaplan as Chair and Mr. Schroth as Vice Chair with a unanimous vote.

Other Business and Discussion

Mr. Hershey mentioned that the Committee membership list, found on DEP's SBCAC webpage, contains contact information such as addresses, phone numbers, and email addresses, which could be subject to web scraping and lead to Committee members receiving unwanted spam. He asked if the Committee would like the membership list changed to remove some of the contact information. Ms. Oyler indicated that she would prefer to not have her contact information listed. Mr. Hancher asked Mr. Hershey to include the membership list as part of his post-meeting follow-up email, and Mr. Hershey agreed to do that.

Adjournment

The SBCAC meeting was adjourned at 12:43 p.m.

The next SBCAC meeting is scheduled for August 27, 2025.