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**VIRGINIA
DEPARTMENT
OF
ENVIRONMENTAL
QUALITY**

**Pollution Prevention & Compliance Assistance
Division**

**SMALL BUSINESS
ASSISTANCE
PROGRAM**

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VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF SMALL BUSINESS ASSISTANCE

SMALL BUSINESS ASSISTANCE PROGRAM

This program is mandated by Section 507 of the 1990 Clean Air Act. The 1992 General Assembly established this program with the passage of Senate Bill 509 and the subsequent changes to Virginia's Air Pollution Control Law, Article 2, '10.1-1323 to '10.1-1326 of the Code of Virginia.

The Small Business Assistance Program (SBAP) is located in the Department of Environmental Quality's (DEQ) Pollution Prevention & Compliance Assistance Division, Office of Small Business Assistance. The SBAP is an integral part of the daily activities of the P2 Division and the Air Division and provides free, non-regulatory, technical assistance to Virginia's small businesses.

Of major importance to the implementation of the Small Business Assistance Program were two (2) key dates.

- November 15, 1992 - SIP submittal - Included a schedule and commitment for carrying out our program. Virginia received EPA approval on February 4, 1994.
- November 15, 1994 - Implementation of Small Business Program.

Definition

What is a Small Business?

By definition, a Small Business must meet all 5 of the following criteria:

1. Is owned or operated by a person that employs 100 or fewer individuals;
2. Is a small business concern as defined in the Small Business Act;
3. Is not a major stationary source under Titles I or III of the Clean Air Act;
4. Does not emit 50 tons or more per year of any regulated pollutant; and
5. Emits less than 75 tons per year of all regulated pollutants.

There are 3 components to Virginia's Small Business Program.

1. The Ombudsman.
2. The Compliance Advisory Panel.
3. The Small Business Assistance Program.

Operational monies for the SBAP will come from Title V operating permit fees and other sources.

Components of the Program

1. Ombudsman

The ombudsman is expected to carry out the following duties:

- Conduct independent evaluations of all aspects of the SBAP;
- Provide comments and recommendations to the EPA and State/local air pollution control authorities;
- Facilitate and promote the participation of small businesses in the development of new regulations;
- Assist in providing reports to higher authorities and the public;
- Aid in the dissemination of information to small businesses and other interested parties;
- Participate in and sponsor meetings and conferences with State/local regulatory officials, industry groups, and small business representatives;
- Investigate and resolve complaints by small businesses;
- Operate a toll free telephone Hot Line to provide confidential help on individual source problems and grievances;
- Periodically review the work and services provided by the SBAP with trade associations and small business representatives;
- Refer small businesses to the appropriate specialists in the SBAP;
- Arrange for and assist in the preparation of guideline documents by the SBAP to ensure that the language is readily understandable by the lay person;
- Work with trade associations and small businesses to bring about voluntary compliance;
- Interface with Regional and State offices of the Small Business Administration, the Department of Commerce and/or other States;
- Interface with private sector financial institutions to assist small businesses in locating funding sources to comply with State/local air pollution control requirements; and
- Conduct studies to evaluate the impacts of the Act on the State's economy, local economies, and small businesses.

2. Compliance Advisory Panel

The Compliance Advisory Panel (CAP) is composed of seven members; 2 appointed by the Governor representing the general public; 4 appointed by the General Assembly who either own or represent a small business; and one appointed by the DEQ Director.

The CAP independently oversees the SBAP and the Ombudsman and has 3 main functions:

1. Render advisory opinions on the effectiveness of the overall Program, difficulties encountered, and degree and severity of enforcement;
2. Prepare periodic reports to the EPA on the compliance status of the Program; and
3. Review information and material developed for the small business stationary sources to insure clarity and ease of understanding.

3. The Small Business Assistance Program (SBAP). It contains 5 major elements:

1. A mechanism for developing, collecting, and disseminating information on compliance methods and technologies for small businesses;
 - Develop, collect, and index information on the Small Business Community in Virginia;
 - Develop relationships with trade associations and other organizations who can provide information to the constituents;
 - Disseminate information through proactive and reactive programs.
2. A mechanism for providing pollution prevention and accidental release prevention and detection assistance to small businesses;
 - Establish liaison with various EPA offices; i.e. Pollution Prevention and the Office of Research and Development;
 - Participate in National Round Table of Pollution Prevention programs;
 - Work with EPA's Chemical Emergency Preparedness and Prevention Office, Emergency Planning, and Community Right to Know hot line, and Chemical Accident Prevention Program.
3. Procedures for assisting small business in obtaining permits, and operating in compliance with them;
 - Provide assistance in determining rule and permit applicability - especially Titles I, III, IV, and V;
 - Assist in preparation of permit application - Provide "walk in" or telephone assistance or provide on-site environmental audits;
 - Identify compliance alternatives - Provide a "menu" of options from which source may choose;
 - Establish liaison with EPA Control Technology Center (BACT, RACT, LAER).

4. Procedures for notifying small businesses of their rights and obligations under the Clean Air Act;
 - Develop pamphlets;
 - Develop mailing lists;
 - Develop a source audit program;
 - Establish liaison with Attorney General's Office, Economic Development Office, and other environmental agencies.

5. A mechanism for reviewing small business requests to modify a work practice, compliance method, or schedule of compliance.
 - Establish a procedures for such requests;
 - Consider financial and technical resources available to small business;
 - Avoid imposition of unreasonable burdens;
 - Insure that changes do not conflict with Clean Air Act or State Implementation Plans.

SOME TYPES OF SMALL BUSINESSES IN VIRGINIA POTENTIALLY SUBJECT TO AIR POLLUTION CONTROL REGULATIONS

Agricultural Chemical Applicators	Hospitals
Asphalt Manufacturers	Laboratories
Asphalt Applicators	Lawnmower Repair Shops
Auto Body Shops	Lumber Mills
Bakeries	Metal Finishers
Distilleries	Newspapers
Dry Cleaners	Pest Control Operators
Electroplating Shops	Photo Finishing Laboratories
Foundries	Printing Shops
Furniture Manufacturers	Refrigerator/Air Conditioning Service & Repair
Furniture Repairs	Tar Paving Applicators
Gasoline Service Stations	Textile Mills
General Contractors	Wood Finishers