

The Small Business Resource

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SBAO Interested in Planning a Full-Day Compliance Workshop

In this issue

SBAO Planning Full-Day Workshops 1

Mark Your Calendar Recycling Workshop 1

Water Issues 2
General Storm Water Permit Renewed

New Resources 2
Sewage Treatment Guides

Air Issues 3
The De Minimis Exemption

Air Permit Status On-Line

Waste Issues 4
Lead-Based Paint Waste

Finance Corner 5
Clean Air Resource

Center Tax Exemption for Pollution Equipment

For small business owners it is sometimes challenging to keep up with all the changes in environmental regulations. Do you feel that more training on environmental regulations would be helpful?

If so, we'd like you to take a minute to complete and return the questionnaire insert in this issue of the *Small Business Resource*. The SBAO is interested in planning a full-day compliance workshop that would cover a variety of topics for small businesses. The workshop would be set up so that attendees could pick both morning and afternoon sessions that interest them. Some of the topics being considered include:

- Hazardous waste regulations
- Preparing for an Ohio EPA inspection
- Storm water discharge requirements
- Process wastewater discharges
- Reducing waste at your business
- Used oil requirements
- Air permitting
- Chemical reporting

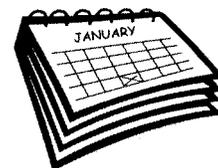
To ensure that the workshop meets your needs, it is important that we hear from you. The workshop would be held in the Columbus area, and would be free to small businesses. The workshop would likely be held this coming spring.

If you would like to give us your opinions on how to make such a workshop a success, please return the questionnaire, or feel free to call us directly at (800) 329-7518.

Mark Your Calendar.. .

Construction and Demolition Debris Workshop

The Association of Ohio Recyclers will conduct a workshop on how to recycle/ reuse construction and demolition debris (C&DD) materials. The workshop will be held at the Atheneum in downtown Columbus on January 24, 2001, from 8 a.m. to 4 p.m. For more information please contact Diane Shew, conference coordinator, at (740) 397-7652.



Water Issues

Ohio EPA's Storm Water Permit for Industrial Activity Renewed

Did your business have a general storm water permit for industrial activities from Ohio EPA? If so, it is important to know that the Division of Surface Water (DSW) renewed this general storm water permit on August 1, 2000. If you were operating under the previous general permit (which expired on February 18, 1996), it is now time to apply for the new permit. In addition, new businesses eligible for coverage under the general permit can now submit their application forms.

An information packet was recently sent out by DSW to companies that had coverage under the expired industrial storm water permit, group applicants and others that expressed an interest in the permit. This packet includes information on:

- How to apply for permit coverage;
- Differences between the renewal and the previous expired general permit;
- Revisions between the public noticed draft and issued general permit;
- The new "No Exposure" exclusion from storm water permitting; and
- The permit application forms.

Companies that have coverage under the expired general permit have 90 days from receipt of the packet to return the appropriate form to DSW. To obtain an information packet, contact Delores Conley of Ohio EPA's DSW at (614) 644-2017.



Additional information is also available on DSW's Web page at <http://chagrins.epa.state.oh.us/programs/storm>.

How Do I Know if Storm Water Permitting Applies to Me?

The storm water permitting requirements may apply to your business if you have industrial activities or materials that are exposed to storm water. It's important to know that the storm water regulations can apply to small businesses.

The regulations (40 CFR 122.26) outline specific industrial activities that are subject to storm water permitting. Whether you are regulated depends on the specific Standard Industrial Classification (SIC) code for your business. In addition to specific industrial activities, the storm water permitting requirements also apply to construction activities.

Many of the regulated industrial activities are eligible for coverage under Ohio EPA's general storm water permit. Some activities, however, are not. Examples of activities not eligible for the general permit include: construction activity, landfills, petroleum bulk stations and terminals, mineral mining operations, coal pile runoff and new discharges to certain water bodies. In these situations, the business must get an individual storm water permit or a construction activity general permit.

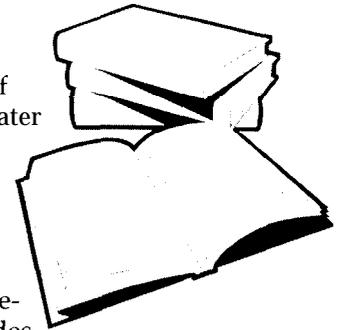
Where Can I Get More Information?

If you are unsure of whether you need a permit or have general questions on the storm water requirements, contact the Small Business Assistance Office at (800) 329-7518. Businesses in Central Ohio can contact Harry Kallipolitis, Division of Surface Water at (614) 728-3844.

New Resources

Operation and Maintenance Guides Available

Ohio EPA's Division of Surface Water recently published the following operation and maintenance guides



for on-site sewage systems. The guides are available on the Internet at the addresses noted, or by contacting the Division of Surface Water. In Central Ohio, contact Sheree Gossett-Johnson at (614) 728-3847.

• *Guide for Owners of Package Extended Aeration Sewage Treatment Plants*, March 2000.

<http://chagrins.epa.state.oh.us.1guidance/PacPlant2000.pdf>

• *A Guide for On-Site Sewage Disposal Systems (Septic Tank/Tile Field Systems)*, March 2000. <http://chagrins.epa.state.oh.us/guidance/Sewage2000.pdf>

Air Issues

Ohio's Air Pollution Control Requirements ... Understanding the "De Minimis Exemption"

Does your small business need an air pollution control permit? Under Ohio's air regulations, air permits are required for "air contaminant sources." An air contaminant source is anything that emits air pollutants, such as particulate matter, dust, fumes, gases, mist, smoke, vapors or odorous substances.

This covers many different types of processes and it's important to know that even small businesses may be required to get air permits. Ohio's air regulations also, however, have some exemptions for specific air contaminant sources as well as for sources that discharge low levels of air pollutants. Under the exemptions, these sources do not require an air permit.

The De Minimis Exemption

The "de minimis exemption," found in Ohio Administrative Code (OAC) rule 3745-15-05 is for an air contaminant source that has the potential to emit less than 10 pounds of air contaminants per day. This includes emissions of particulates, sulfur dioxide, nitrogen oxides, organic compounds, carbon monoxide, lead or any other air contaminant. Potential emissions are defined as the emissions from the source during a 24-hour period, without air pollution control equipment. Potential emissions also require that you account for the maximum rated capacity of the unit. A permit is not needed for the source if it meets all the de minimis criteria.



Some of the sources found at small businesses that commonly fit under the de minimis exemption include small painting operations, printing presses, sanding/ grinding units, solvent degreasers and other small-scale sources. But, not all of these sources are automatically exempt from permitting. You must calculate the potential to emit before determining if a source is exempt.

Exceptions to the Rule

It's also important to know that there are some exceptions to the de minimis exemption. These include:

- Sources that are already required to maintain emission levels of less than 10 pounds per day either under the Clean Air Act or Ohio's regulations;
- Sources that emit radionuclides;
- Sources (alone or in combination with similar sources at the same facility) that have potential emissions greater than 25 tons per year for any air pollutant; and
- Sources that emit more than one ton per year of any hazardous air pollutants or combination of hazardous air pollutants.

Determining Your Status and Keeping Records

As you identify your air contaminant sources, it is important to keep the de minimis exemption in mind. You may not be required to get permits for every source at your business. Calculating the potential emissions from each source is the first step in determining if the source

meets the de minimis criteria. Making sure that your source does not fall under the exceptions to the de minimis rule is another step in this process. If you calculate that your source has a potential to emit less than 10 pounds of pollutants per day and the source does not fall under the exceptions to the de minimis rule, no air permit is required.

The air regulations also state, however, that if you calculate a source's potential to emit at over 10 pounds per day but can prove that the *actual emissions* from the source will be lower than 10 pounds per day, you can still qualify for the de minimis exemption. An air permit would not be needed for the source. In this situation, however, the regulations require that you keep daily operating records which show that actual emissions are less than 10 pounds per day. These records need to be kept at your business for at least two years and must include:

- A description of how emissions from the source were determined and maintained to meet the daily exemption level (or annual exemption level for hazardous air pollutants);
- Operating records that demonstrate the daily and annual emissions from the source are maintained to meet the exemption level;
- If pollution control equipment is used, it must be an integral part of the source and the source cannot operate without it. A statement must be provided describing the control equipment and how it is an integral part of the source;
- A copy any emission test reports (if air pollution control equipment is used);
- A description of all production constraints required for the source to comply with exemption levels;

De minimis continued from page 3

- If there are similar exempt sources at the company, information on each regarding annual potential emissions and a summation of the total emissions from each source.

Getting Additional Help

The de minimis exemption is an important exemption to be aware of, especially for small businesses who may not need to spend time and money getting an air permit. It can be challenging, though, to identify all the air contaminant sources at your company and to calculate emissions.

Ohio EPA's Small Business Assistance Program (SBAP) can be a helpful resource to you in this process. Staff from the SBAP can help you identify air contaminant sources and calculate emissions. The SBAP can also help explain the de minimis record keeping requirements that will apply to you. And, if you find out that you do actually need a permit for a source, the SBAP can help you get and fill out the air permit application forms. All services of the SBAP are free and confidential and available statewide to small businesses with fewer than 100 employees. If you have other questions about the de minimis exemption, or need more help, contact the SBAP at (614) 644-4830.

Ohio EPA Air Permit Status Available on the Web

Ohio EPA has launched a new online system to make it easier to find information about air pollution permit-to-install applications. This information is updated daily, and is accessible through Ohio EPA's Web site at www.epa.state.oh.us/dapc/pti/ptimain.html.

The Web site provides detailed information about the status of permit-to-install applications submitted to Ohio EPA, from receipt of

application to the issuance of a final permit. Dates of specific actions on each permit also are posted, including the date the permit is issued and public notice date.

Future features of the site will include electronic copies of issued

documents and more information on the processing time for each office involved in the process. Comments and suggestions for improving the site are welcomed, and should be sent to Mike Ahern at mike.ahern@epa.state.oh.us.

Waste Issues

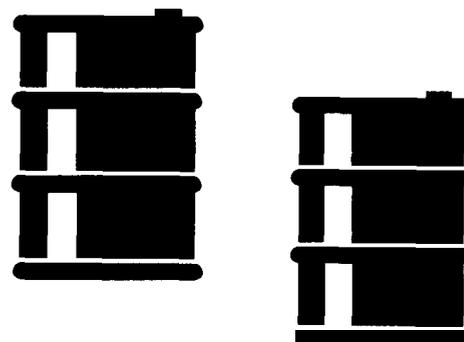
New Regulatory Status of Lead-based Paint Abatement Waste

In September 2000, Ohio EPA's Division of Hazardous Waste Management (DHWM) announced a new regulatory interpretation regarding paint waste from lead abatement activities at residences. This new action by Ohio EPA was prompted by a recent regulatory interpretation from U.S. EPA.

Under the new interpretation, DHWM indicates that lead-based paint waste (LBP waste) generated from abatement, renovation, and remodeling activities at homes and other residences by either contractors or residents is considered "household waste." Household hazardous wastes are not subject to the hazardous waste regulations under a specific exclusion in Ohio Administrative Code rule 3745-51-04(B).

Under the exclusion, household hazardous wastes do not need to be disposed of at a permitted hazardous waste facility. DHWM indicates that LBP wastes do, however, require proper disposal as solid wastes or construction/ demolition debris.

The types of wastes impacted by this new interpretation include structural components coated with LBP (window/ door frames, doors



and wall board), floor coverings, paint chips, plastic sheeting, rags, sandpaper and paint stripping wastes.

LBP wastes generated from the abatement, renovation and remodeling of nonresidential buildings are not covered under the household waste exclusion. Therefore, wastes from the renovation of churches, schools, day care centers and commercial buildings are not subject to the household waste exclusion. Contractors handling these wastes must follow all the hazardous waste regulations, including proper disposal of such wastes.

If you have any questions, or would like a copy of the new LBP waste interpretation, please contact Ohio EPA's Division of Hazardous Waste Management, Technical Support Unit, at (614) 644-2917.

Finance Corner

Clean Air Resource Center Financing at Its Best

If you need to purchase equipment that will improve air quality, the Clean Air Resource Center (CARC) can offer you better-cost financing with special tax incentives. The CARC is the small business program of the Ohio Air Quality Development Authority, an independent state agency. CARC's purpose is to help Ohio's small businesses understand Ohio EPA's air quality regulations, and find the financial resources needed to reach compliance.

CARC provides business loans to finance purchases of equipment that result in reducing air pollution or improving energy efficiency. Projects financed through CARC are exempt from some specific taxes. In addition, CARC has grant funds available for businesses to help cover loan-related closing costs.

Projects eligible for loans include those related to pollution prevention, process changes and development (such as engineering and design projects). CARC has financed projects from as little as \$14,000 for small businesses such as manufacturing companies, gas stations and printers. In addition, CARC has been working with Ohio dry cleaners to help finance projects that result in cleaner emissions. To date, CARC has issued more than \$450,000 in financing to help cleaners purchase energy efficient dryers, solvent recovery systems and other environmentally friendly equipment.



CARC is not part of the EPA and it does not enforce air quality regulations. In fact, state law prohibits Ohio EPA from using information obtained by CARC in any enforcement action. CARC's programs simply make it easier for companies to become EPA compliant.

Want to learn more? Call Mark Shanahan at (800) 225-5051 or visit CARC's Web site at [www.ohioairqualityorg / CARC/ CARCAbout.html](http://www.ohioairqualityorg/CARC/CARCAbout.html).

Tax Relief for Air and Water Pollution Control Equipment

Did you know that tax relief is available to businesses that purchase equipment to control air or water pollution? If you have eligible equipment, you can obtain a tax certificate that exempts this equipment from personal property taxes, franchise taxes, sales and use taxes.

For the water pollution control exemption, equipment must have been purchased after 1965. This application process also requires that you submit an itemized list of equipment costs and a description of how the equipment is used. There is also an application fee of \$500. To find out more about this program, or to apply for a tax certificate, contact Elizabeth Somogyi in Ohio EPA's Division of Surface Water at (614) 644-2025.

For the air pollution control exemption, you must either have a current Ohio EPA air permit, or be able to demonstrate in writing that your air pollution sources are in compliance with Ohio EPA's regulations. For more information on this program, contact David Foreman in the Ohio EPA's Division of Air Pollution at (614) 644-3600. Application forms and information on these tax exempt procedures are available from Gregory Cartier of the Ohio Department of Taxation at (614) 466-8581.

SBAO
Small Business Assistance Office
Ohio EPA

Are you a small business owner? Do you have questions about environmental regulations?

If you need help understanding the regulations and how to comply with them, give us a call at 1-800-329-7518 or 614-728-8573.

Our *services are* **FREE and CONFIDENTIAL**



The Small Business
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