

The Small Business Resource

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SBAO Advisory Committee Spotlight

Important to the success of the SBAO is the feedback that the office gets from its advisory committee. Formed shortly after the office opened in 1996, the voluntary committee provides an important small business perspective to the SBAO as it plans and undertakes new activities. This issue of *The Small Business Resource* continues our advisory committee spotlight.

Ms. Beth Wymer, Assistant State Director, Ohio Chapter of the National Federation of Independent Business (NFIB). NFIB is a nonprofit organization dedicated to promoting the economic, financial and nonpartisan political welfare of small, independently held businesses. At the NFIB Ohio office, Ms. Wymer is responsible for activities concerning environmental regulations, taxes, education and health care. She believes that as part of the committee, NFIB/Ohio can provide insight on small business needs. In addition, she sees NFIB/Ohio's representation on the committee as being helpful in establishing the credibility of the SBAO. "Maybe small business owners will see our involvement and feel more comfortable initiating contact with the SBAO staff when they need assistance with environmental issues."

Mr. Bjorn Wiberg, Director of the Ohio Small Business Council (OSBC), a division of the Ohio Chamber of Commerce. He also serves as the

Ohio Chamber's liaison to some 350 local chambers of commerce and the Chamber of Commerce Executives of Ohio (CCEO). In carrying out the mission of the OSBC- To promote and protect the establishment, growth and vitality of small business in Ohio by supporting legislation and governmental actions that encourage small business development and strengthen the free enterprise system- he seeks to assist the SBAO with identifying ways to simplify and reduce the regulatory burden and compliance costs to small businesses.

Mr. Donald Gaitten, Jr., Executive Director, Central Ohio Chapter of Associated Builders and Contractors. Mr. Gaitten has been involved with the construction industry for 12 years. He is responsible for local affiliate activities of the nationally based merit-shop construction trade association. These responsibilities include member recruitment and retention, education, lobbying, public relations, marketing and program development. He plans to assist the SBAO in developing a proactive and "user-friendly" approach when communicating with small construction-related businesses. ☞

Waste Issues

Hazardous Waste Satellite Accumulation

An area where hazardous waste is collected at or near the point of generation is called a "satellite accumulation area." Satellite accumulation areas are commonly located near a process line or in areas like a maintenance garage, paint shop, electrical shop, welding shop or laboratory.

The satellite accumulation requirements apply to both small and large quantity hazardous waste generators and are found in Ohio Administrative Code (OAC) rule 3745-52-34(C). To stay in compliance with the satellite area regulations, your company must ensure that:

- The area is at or near the point where the waste is generated and is under the direct control of a person working in that area (e.g., the process operator);
- Each container is marked "Hazardous Waste" or with other words to identify the contents;
- Containers are always closed, unless adding or removing waste;
- Each container is in good condition and is compatible with the materials stored in it and with materials stored nearby;
- The total quantity of waste in the satellite area does not exceed 55-gallons (or 1 quart of an acutely hazardous waste). The 55-gallon limit applies to the total volume of waste collected in the satellite area not to each individual waste stream.

When wastes collected in the satellite area exceed 55 gallons, you must remove the excess wastes from the satellite area to a central accumulation area within three days. The date the drum is placed in the central storage area is marked on the drum as the accumulation start date.

Hazardous waste can be kept in the central accumulation area for up to 90 days (for large quantity generators) and up to 180 days (for small quantity generators).

The size of the containers used to collect wastes is not limited. Your company can also have more than one satellite accumulation area. Additional questions about the satellite accumulation requirements can be directed to Ohio EPA's Division of Hazardous Waste Management (DHWM), Central District Office at 614-728-3778. You can also call DHWM to get a free copy of the division's "Guidance on the Location of Satellite Accumulation Areas."

Ohio EPA's Voluntary Action Program

One unfortunate byproduct of Ohio's industrial history is the number of contaminated sites scattered throughout the state. Today, valuable land sits idle because the fear of liability and cleanup costs scares potential developers, businesses and banks. In June 1994 Governor Voinovich signed into law (SB 221) a program for voluntary real estate reuse and cleanup.

This new Voluntary Action Program (VAP) helps simplify site cleanup by reducing government red-tape and maximizing resources and expertise in the private sector. VAP volunteers can use private certified professionals for property assessments and cleanup activities. Although the program is voluntary, specific cleanup standards designated by Ohio EPA must be followed. If cleanup is done according to standards, Ohio EPA will release the owner from state civil liability for future cleanup.

The first step in the VAP, a Phase I assessment, includes a review of records to learn about previous owners and activities at the property. If the Phase I reveals past activities may have caused contamination, a Phase II assessment of the property must be conducted.

Phase II involves analyzing soil, sediment and water samples from the property. If the samples show contamination at levels greater than acceptable standards, cleanup activities must be conducted. Phase II activities may include: soil removal, groundwater pump and treat systems, capping the property or property use restrictions.

Once it can be shown that the property meets the applicable cleanup standards, the certified professional can write to Ohio EPA requesting release from future liability. The request (called a "No Further Action Letter") is reviewed by Ohio EPA and if it is agreed that the property has been cleaned up to acceptable standards, Ohio EPA will release the property owner from future cleanup liability (called a "Covenant Not to Sue"). This Covenant will run with the title of the property and is effective as long as the property meets the standards.

Both large and small businesses can realize benefits by participating in the VAP to redevelop and reuse property. Current financial incentives for businesses interested in redeveloping such properties include low interest loans, grants and tax abatements.

If you would like additional information, please contact Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program at (614) 644-2924.9

Air Issues **Know Ohio's Open Burning Regulations**

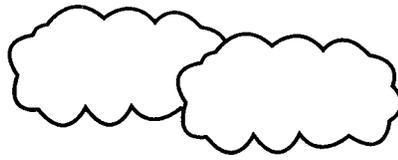
As a small business owner, it is important for you to be aware of Ohio EPA regulations regarding open burning. The open burning regulations are found in Chapter 3745-19 of the Ohio Administrative Code (OAC). "Open burning" is burning materials like trash, leaves, tree trimmings, tires and construction debris outdoors. When these materials are burned, they can release harmful air pollutants. In addition, gases released by open burning can corrode metal siding and damage paint on neighboring buildings.

What types of open burning are considered illegal?

Under Ohio's air pollution control regulations, a business cannot burn trash or any other waste for the purpose of waste disposal. A common violation that Ohio EPA sees at small businesses includes open burning of wastes like trash or used shop rags. In addition, landscape contractors need to be aware that they CANNOT bring landscape waste (trimmings, etc.) back to their business and open burn them.

Are any types of open burning allowed?

A few types of open burning are allowed by businesses. In these situations, the business does not need to notify Ohio EPA or obtain permission from the Agency before burning. Fires, however, must be kept to a minimum size, cannot be used for waste disposal and the fuel burned must help minimize the emission of air contaminants. Acceptable open burning includes: cooking food (barbecues, cookouts); heating tar; welding and acetylene torches; smudge pots and similar occupa-



tional needs; and heating for warmth of outdoor workers or strikers.

Ohio EPA can authorize open burning activities such as: fires for controlling diseases/pests, ceremonial fires, fire fighting training, managing land clearing wastes from industrial or commercial development and emergency handling of ignitable or explosive wastes. Before conducting any of these activities, the company must first contact Ohio EPA's Division of Air Pollution Control. Special conditions may apply to some activities. In addition, the business may be required to complete an application and obtain written approval from the Agency before open burning.

Does Ohio EPA ever allow other exceptions to the open burning regulations?

Under certain circumstances, yes. However, other activities must be discussed with Ohio EPA and YOU MUST RECEIVE WRITTEN PERMISSION FROM OHIO EPA BEFORE YOU BEGIN BURNING.

Can my community enact local laws on open burning?

Yes. There may be local laws in your area regarding open burning. These local ordinances cannot be less strict than Ohio EPA's regulations. They can be more strict, however. Knowing the open burning regulations can help your company avoid the possibility of violations or penalties. If you have additional questions about the open burning requirements, you can contact Ohio EPA's Central District Office, Division of Air Pollution Control at 614-728-3778.

Finance Corner **The Small Business Innovation Research (SBIR) Program**

The Small Business Innovative Research (SBIR) Program was established in 1982 with a goal of helping small firms take advantage of federal research and development (R&D) opportunities. The law that established the program requires that federal agencies with outside R&D budgets of more than \$100 million award some of their external contract research to small businesses. There are many federal agencies participating in the SBIR Program, including U.S. Departments of Agriculture, Defense, Education, Energy, Environmental Protection, Transportation, etc.

The Ohio Department of Development established the Ohio SBIR Program to offer businesses technical resources needed to compete for federal SBIR

funding. The state program provides assistance in areas

such as: topic selection, proposal writing and proposal review. The program also offers support for winners, including: commercialization, education and promotion. For more information contact Ohio's SBIR Program at (800) 848-1300, (614) 466-3887 or visit its website at <http://www.odod.ohio.gov/tech/sbir>.



Learning the Lingo

Do environmental terms sometimes sound like a foreign language to you? If so, you're not alone. Many small business owners have difficulty keeping up with the latest environmental lingo. This new feature in our newsletter will cover some common environmental terms you may encounter on the job.

RCRA-
Resource Conservation and Recovery Act, 1976

Regulations established under this act set management standards for hazardous and nonhazardous waste.

MSDS-
Material Safety Data Sheet

Part of the Hazard Communication Standards set up by the Occupational Safety and Health Administration (OSHA) to protect workers from chemical hazards. The MSDS for a chemical outlines: composition of the substance, trade name, manufacturer's name, hazards and precautions for handling the material.

POTW-
Publicly Owned Treatment Works

A public sewage/wastewater treatment facility.

SIC Codes-
Standard Industrial Classification Codes

An indexing and classification system of business types. The SIC was developed by the U.S. Department of Commerce and is used for census and statistical information.



TCLP-
Toxicity Characteristic Leaching Procedure

A laboratory test used to detect the concentration of heavy metals (such as mercury, cadmium, lead, etc.) and/or organics in an extract of waste. Wastes that contain toxic contaminants in concentrations that are greater than regulatory levels are classified as hazardous wastes.

TSD Facility-

A facility that conducts hazardous waste treatment, storage or disposal activities. Facilities must receive an EPA permit for these activities.

Small Business Resources

Small Business Development Center (SBDC) Fax-Back Update

The Small Business Development Center recently changed the number of its fax-back service. The NEW number is 1-888-329-7232. Publications available through the fax-back service cover a wide range of business-related topics (start-up, marketing, training, regulations, etc.)

New Publications

- 1) Fact Sheet: Selecting a TSD (Treatment, Storage Facility) to Handle Your Hazardous Waste.
- 2) Brochure: Your Business and Ohio EPA Inspections ... A Simple Guide to Help Prepare Your Company for An Ohio EPA Compliance Inspection.
- 3) Fact Sheet: Getting Copies of Ohio EPA's Regulations.
- 4) Central Ohio Environmental Business Assistance Resources. A list of environmental contacts/resources including: Ohio EPA contacts, other Agency contacts and Internet resources.
- 5) Ohio's Best Kept Secret, Ohio EPA's Office of Pollution Prevention. This brochure highlights the free technical resources available through this office.
- 6) The Small Business Assistance Office 1996 Annual Report.

To receive any of these FREE publications contact the SBAO, at 1-800-329-7518.

Water Issues

Stormwater Regulations and Small Businesses

Many businesses have outside processes, storage units and/or material handling areas. Stormwater contacting these areas can carry pollutants such as heavy metals, oils and solvents directly to a stream, ditch, lake or other surface water. In 1987, the Clean Water Act was amended to include requirements for controlling stormwater discharges at industrial sites. Even a small business may be subject to Ohio EPA's stormwater regulations. This article provides an overview of these regulations and where you can go for additional help.

Businesses that have certain Standard Industrial Classification (SIC) codes are subject to the storm water regulations. A complete list of these codes is available through Ohio EPA's Division of Surface Water. Some examples of manufacturing businesses subject to regulation include those involved with: lumber, wood and paper products; chemical manufacturing and petroleum products; stone, clay and glass products; and metal products.

Other businesses regulated under the stormwater program include: mining operations, hazardous waste facilities, transportation facilities and recycling/salvage facilities. In addition, any business completing a construction project that disturbs five or more acres is required to comply with the stormwater regulations.

Under the stormwater regulations, businesses are required to obtain a permit and develop a Storm Water Pollution Prevention Plan (SWPPP). The permit is called a National Pollution Discharge Elimination System (NPDES) permit and is issued through Ohio EPA's Division of Surface Water. In the Storm Water Pollution Prevention Plan, the company must identify potential activities that may contaminate stormwater.

In addition, the plan must outline the practices that the company will use to help prevent the contamination and runoff of stormwater into surface waters.

Some businesses can be exempt from the permitting requirements if they operate or make process changes to prevent stormwater contamination (e.g., moving activities under a roof). Questions about exemptions from the permitting process can be discussed with Ohio EPA's Division of Surface Water staff.

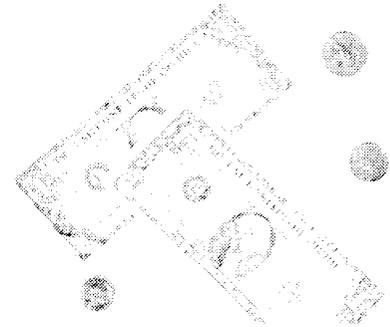
For additional information on the stormwater requirements, please contact the Division of Surface Water, Ohio EPA Central District Office at (614) 728-3778. The Division of Surface Water has a complete list of SIC codes and other industry categories covered under the stormwater program and guidance documents for developing a Stormwater Pollution Prevention Plan. For businesses located out of Central Ohio, contact your local Ohio EPA district office, stormwater program coordinator for more information. **9**

GREEN TIP\$

Good Housekeeping Makes Good Business Sense

When looking at ways to reduce waste or prevent pollution, many businesses find that simple changes in housekeeping practices can result in big benefits. Making sure that you have good housekeeping practices can help reduce costs, regulatory requirements and the likelihood of an accident at your company. Often, simple improvements can be done at little or no cost to your company. Some housekeeping tips for your business include:

- Routinely inspect and maintain valves, pipes, pumps, etc., to prevent leaks and spills.
- Use a "first in first out" inventory policy to ensure old materials are used before new.
- Keep containers clearly labeled so you know what's in them.
- Keep lids on containers and tanks to prevent evaporation and spills.



- Install spill basins or containment dikes in material storage areas.
- Segregate wastes to enhance recycling.
- Segregate raw materials to prevent cross contamination.
- Don't overpurchase.
- Buy only what you need so you are not left with materials that exceed shelf life.

If you would like more information on pollution prevention opportunities for your business, contact Ohio EPA's Office of Pollution Prevention at (614)644-3469.

New Rules Update

The Environmental Audit Bill Substitute Senate Bill 138 became effective March 13, 1997. The law was developed to encourage companies to look for and fix environmental problems on their own. Under the law, companies that conduct voluntary environmental audits and disclose information from the audits to Ohio EPA can receive immunity from administrative and civil penalties. The law does not grant immunity in all situations, for example, where criminal violations are found. For more information contact Ohio EPA's Legal Section at (614)644-2115.9



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