



# The Small Business Resource

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## The SBAO: Highlights From 1999

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The Small Business Assistance Office (SBAO) had another successful year during 1999, logging 600 calls during the year and more than 2,200 compliance assistance requests to date. The SBAO has seen a growth in the use of its hotline service, with annual average calls increasing since the office opened in 1996.

The calls were received from a diverse group of businesses, including contractors, dry cleaners, printers, manufacturing companies and others. Of these calls, many were multimedia calls (covering program areas like air, waste and water), reflecting the unique challenges that small business owners face in understanding and keeping up with environmental regulations.

Approximately 4,000 small businesses in Central Ohio received the SBAO's quarterly newsletter, *The Small Business Resource*. The newsletter is a way for the SBAO to actively reach businesses with information about the environmental regulations.

The SBAO developed industry specific fact sheets for auto repair shops, collision repair shops, wood-working facilities and beauty salons. The office also updated its *Ohio EPA Resource Guide* in 1999 with new phone numbers, agency contacts and rule information. Overall, the office distributed more than 15,000 publications during 1999.

In 1999 the SBAO conducted eight environmental compliance workshops for businesses. During the workshops, the SBAO provided an overview of Ohio EPA's hazardous

waste regulations. A total of 108 people attended these workshops and the feedback from attendees has been very positive.

Goals for the coming year include developing additional workshops and other compliance assistance resources. It is hoped that the continued success of the SBAO during the coming year will be the catalyst for program expansion to other areas of the state. We always welcome your suggestions on how we can better serve small businesses. Please feel free to contact the office with questions or comments at (800) 329-7518 or (614) 728-8573. ✂

## **Pollution Prevention**

### **ENERGY STAR Small Business**

Are you paying more for energy than you have to? For every month you pay to operate inefficient equipment, you've lost what could have been a down payment on improved equipment. Those extra dollars you're spending could be your profit.

Not only are you losing money with energy inefficient equipment, you're also creating air pollution. Every time a light, a computer, or a motor is turned on, a power plant consumes fuel to generate energy.

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## Air Issues

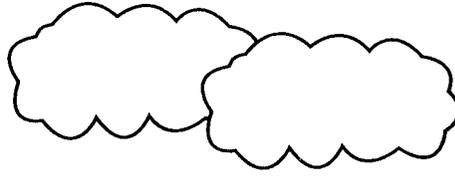
### Common Air Permitting Mistakes Small Business Make

#### Failing to Identify Emission Sources and Apply for Permits

Not applying for air permits is one of the common mistakes a small business makes. If your business emits air pollutants, you must evaluate whether air permits are needed. If your business emits pollutants from different sources, then each source may require permitting. There are four rules of thumb that you can use to evaluate whether your business has air emissions. Does your business:

- produce visible dust, smoke or odors? Examples: incinerators, unpaved roadways and material handling operations;
- use paints, solvents, adhesives or inks? Examples: paint booths, printing presses and solvent cleaning tanks;
- have a stack, dust collector or vent? Examples: shotblasters, grinders and storage tanks; and/or
- burn fuels such as oil, natural gas or coal? Examples: boilers, furnaces and process heaters.

If you answered yes to any of the above, you may be required to have air permits. For sources that need permits, you need both a permit-to-install (PTI) and a permit-to-operate (PTO). To obtain a PTI and PTO, you must complete application forms and an emission activity form for the specific source (e.g., painting, sand blasting, dry cleaning). A PTI is needed before the source is built. The PTO application must be submitted no later than 30 days after you begin operating the source.



Frequently, businesses make mistakes during the application process. Often an application will be missing information such as emission calculations or process flow diagrams. In addition, businesses often underestimate how long the permitting process can take. To help avoid problems, applications should be submitted well in advance of operation to allow for processing time. It's important to know that not all emission sources require permits. The air regulations contain some permitting exemptions for specific activities. In addition, the regulations also exempt other small sources because they emit few pollutants (called "de minimis sources"). However, you may be required to keep records for these emission sources even if they do not require permits, especially for de minimis sources.

#### Failing to Comply with Permit Conditions

Once a business receives its permits, the permits will usually contain record keeping requirements. For example, a business may be required to keep records of paint, solvent or chemical usage. Many businesses assume they can just pull out a purchase record at the end of the year and this will be sufficient record keeping. While this may be sufficient sometimes, it often is not. Many permits require daily or monthly record keeping. Not keeping records as frequently as ordered in the permit is a common mistake made by businesses. Sometimes the permit also will require the records or reports be submitted to Ohio EPA. To know whether you need to submit reports, it is important that you know the terms and conditions of your permit.

Many companies after receiving their permit believe they are automatically in compliance and just file the permit in a drawer and forget about it. This is not a good idea. It is important that a business owner read and understand their permit.

If you have questions about the air permitting regulations or think you may need a permit, call the Small Business Assistance Program, Division of Air Pollution Control at (614) 644-4830 for free and *confidential* help.

### Know Ohio's Opening Burning Regulations

As a small business owner, it is important for you to be aware of Ohio EPA regulations regarding opening 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 it.

*continued on page 3*

## Air Issues

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### 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 occupational 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 regula-

tions can help your company avoid violations or penalties.

If you have additional questions about the open burning requirements, you can contact Ohio EPA's Division of Air Pollution Control. For businesses in Central Ohio, call (614) 728-3778. ☎

## Water Issues

### Class V Injection Well Rules Revised

*Does your small business discharge fluids into an injection well or cesspool?* If so, it is important for you to know that U.S. EPA recently enacted additional requirements for two categories of Class V injection wells.

In Ohio, Class V injection wells are regulated by Ohio EPA's Division of Drinking and Ground Waters, Underground Injection Control (UIC) Program. Ohio's UIC Program received authority to regulate Class V injection wells under Section 1422 of the Safe Drinking Water Act. The Safe Drinking Water Act requires that state UIC regulations be as stringent as those set by U.S. EPA. In order to meet this requirement, Ohio must adopt the new regulations within 270 days of the effective date (April 5, 2000) of the federal regulations.

Class V injection wells are shallow waste disposal wells, storm water and agricultural drainage systems or other structures used to discharge fluids beneath the ground. Often, these wells discharge fluids directly into or above underground sources of drinking water (USDWs). Class V wells are regulated because the contaminated fluids discharged through them can cause a violation of drinking water regulations and endanger public health.

Under existing regulations, an owner or operator of a Class V well must report basic inventory information to the UIC Program to receive authorization to operate the well. In addition, permits to install and operate the well may be required under Ohio's rules. There are also prohibitions on injecting fluids with contaminants into underground sources of drinking water which could cause a public health threat or violate Ohio's drinking water regulations.

To ensure protection of USDWs, the recent revisions to the Class V regulations add new requirements for two categories of Class V wells:

1. *Motor vehicle waste disposal wells* (This category includes any type of motor vehicle such as car, truck, bus, plane, marine equipment and small engine maintenance or repair).

Motor vehicle waste disposal wells are dry wells or septic tank/leach fields that can receive fluids, waste or wash waters from repair or maintenance activities. This covers businesses such as auto body shops, auto repair shops, car dealerships, etc. The regulations have been revised to address these wells because of the chemicals and other contaminants (petroleum, heavy metals, etc.) that may be present in discharges.

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## Waste Issues

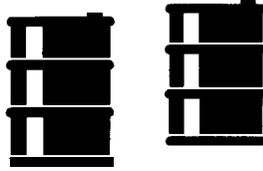
### Hazardous Waste Container Inspections: How Thorough Are You?

Under the Ohio Administrative Code (OAC) rule 3745-66-74, large and small quantity hazardous waste generators are required to conduct weekly inspections of their container storage areas. Ohio EPA's hazardous waste inspectors often find inspection related problems at companies. Common violations include: failing to conduct inspections, failing to keep inspection logs up-to-date and not correcting problems found during inspections.

The following should help you understand what the regulations require and what Ohio EPA inspectors look for. It is important that you understand and comply with the regulations to avoid violations.

OAC rule 3745-66-74 requires that container storage areas be inspected weekly. Weekly is defined as seven days from the previous inspection. The weekly inspection requirements apply to container storage areas, but not satellite accumulation areas. It is a good idea, however, to inspect your satellite areas in the same manner. Under the regulations, the weekly inspections need to ensure the following:

- there are no leaks or spills;
- all containers are marked with date waste accumulation began;
- all containers are labeled hazardous waste;
- accumulation times have not been exceeded;
- aisle space is adequate;
- all containers are in good condition and compatible with the waste;
- all containers are closed, except when adding or removing waste;
- containers are handled in a manner to prevent rupture or leakage; and
- containers with incompatible wastes are stored separately.



Under OAC rule 3745-66-74, all weekly inspections must be recorded in

an inspection log. The log must include the following information:

- date and time of the inspection;
- the name of the inspector;
- notation of observations made; and
- date/nature of any repairs made.

The inspection log must be kept for at least three years from the date

of the inspection. The log should be kept with your other hazardous waste related paperwork, so that it is readily available for review if your business is ever inspected by Ohio EPA.

By knowing the hazardous waste regulations, you can help ensure your company's compliance. If you have any questions about the inspection requirements, or any other hazardous waste requirements, contact your local Ohio EPA district office, Division of Hazardous Waste Management for more help. For businesses in Central Ohio, contact (614) 728-3778. ✉

### Pollution Prevention continued from page 1

When fossil fuels are burned to produce electricity, pollutants are released into the atmosphere. If you lower your demand for energy, your business helps reduce the amount of energy generated and that means less pollution.

One way your small business can cut its energy use and save money is to join U.S. EPA's ENERGY STAR Small Business program. ENERGY STAR Small Business is designed by and for small businesses and their advocates. With more than 22 million American small businesses, the money saved and pollution prevented can be tremendous.

Benefits of the ENERGY STAR Small Business program:

- free accurate, unbiased information;
- toll-free technical support hotline (1-888-STAR YES);
- how-to guide for analyzing and upgrading your facility;
- free electronic newsletter;
- financial resource directory of lenders;
- directory of energy equipment and service contractors and utilities;
- free list of EPA's ENERGY STAR-labeled products;

- free educational workshops and seminars on energy efficiency;
- national and local public recognition; and
- public relations materials to promote your efforts;

What you do:

- Voluntarily upgrade your equipment efficiency only where it's profitable with a simple payback of three years or less
- Implement these upgrades within three years, but only where they maintain or improve the quality and comfort of your facility.
- Consider purchasing ENERGY STAR-labeled products when you're planning to buy or replace office equipment.
- No reporting is required! But if you tell U.S. EPA about your successful upgrade, you receive public recognition and may be eligible for a national award.

For more information on the ENERGY STAR Small Business program visit their Web site at [www.epa.gov/smallbiz](http://www.epa.gov/smallbiz) or call their toll free number 1-888-STAR YES. ✉

## Chemical Reporting

### TRI Reporting: Are You Covered?

#### What is TRI?

The Toxic Release Inventory, or TRI, is one of several reporting requirements under the Emergency Planning and Community Right to Know Act (EPCRA). TRI is also known as "313" or "Form R" reporting. "313" refers to the Section of the Act, and "Form R" refers to the U.S.EPA form used to report the information.

This annual reporting requirement has been in effect since 1987. TRI reports provide important information on chemical use and releases by businesses nationwide. Each year approximately 1,600 Ohio facilities report one or more of the listed toxic chemicals. In 1998, the most recent reporting year, Ohio facilities submitted more than 6,200 reports.

The TRI information is reviewed by Ohio EPA, summarized and published in an annual report. The TRI data is of interest to the industrial sector, community groups, state regulators and others.

#### Does my business need to comply with TRI?

It is possible that your business may be subject to TRI reporting, even if it is a small business! Reporting to U.S. EPA and the state is required when a facility:

1. is a manufacturing facility with SIC code(s) 20 through 39, or is one of seven specific non-manufacturing industrial operations;
2. has 10 or more employees; and
3. uses (not just releases) "toxic chemicals" in excess of annual threshold quantities (10,000 to 25,000 pounds, depending on the chemical).

The EPA regulations include a list of more than 600 toxic chemicals regulated under the TRI and their threshold quantities. When originally enacted, TRI reporting was limited to the manufacturing sector with SIC codes 20-39. Starting in 1998, TRI was expanded to include seven non-manufacturing industrial activities with the following SIC codes:

- metal mining and related services (SIC 10 with some exceptions)
- coal mining and related services (SIC 12 with some exceptions)
- electric generation facilities (SIC 49 with some exceptions)
- RCRA subtitle C refuse facilities (SIC 4953)
- chemicals and allied products NEC (SIC 5169),
- petroleum bulk stations/terminals (SIC 5171), and
- business services NEC - those primarily engaged in solvent recovery services (SIC 7389).

Another significant change in 1998 included an expansion of the definition of "use" under the TRI rules to include waste management activities such as stabilization, treatment and disposal. More changes to the TRI rules are scheduled for the 2000 reporting year, including the regulation of persistent bioaccumulative toxic (PBT) chemicals.

### Where can I get help?

If you have questions about the TRI regulations or are unsure of whether your business needs to file a report, contact Mark Besel or Muhammad Elsalahat, TRI Program, at (614) 644-4830. Or, visit the program Web site at [www.epa.state.oh.us/dapc/tri.tri.html](http://www.epa.state.oh.us/dapc/tri.tri.html). ☞

### Water Issues continued from page 3

2. Large capacity cesspools are typically dry wells that receive untreated sanitary waste and that frequently have an open bottom and perforated sides. The UIC requirements do not apply to single family residential cesspools or to nonresidential cesspools that receive solely sanitary waste and serve fewer than 20 persons per day.

The new Federal Class V Rule revisions **ban new motor vehicle waste disposal wells and new and existing large capacity cesspools nationwide**. The rule also states that owners/operators of existing motor vehicle disposal wells in ground water protection areas and other sensitive ground water areas must either close the wells or obtain Class V permits.

Ohio EPA is currently preparing *draft* revisions to Ohio's Class V rules. If you wish to comment on the draft rules or would like additional information concerning Class V injection wells, please call Ohio EPA's **UIC Program at (614) 644-2752** or, visit our Web site at: [www.epa.state.oh.us/ddagw/uicclass5.html](http://www.epa.state.oh.us/ddagw/uicclass5.html). You can also visit U.S. EPA's Web site at: [www.epa.gov/safewater/uic/classv.html](http://www.epa.gov/safewater/uic/classv.html). ☞

## New Resources

### EnviroChem Ohio A Self-help Guide for Chemical Operations

The Ohio Chemical Council is developing the EnviroChem Ohio guide to help chemical facilities achieve compliance and develop environmentally sound business practices. EnviroChem will be a valuable, user-friendly tool for those small businesses who do not have extensive environmental regulatory experience as well as for environmental professionals.

The Ohio Chemical Council has hired Webco Environmental Management to develop the guide. A draft version of the EnviroChem Ohio guide will be available on Webco's

### 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***



Web site [www.webcoenvironmental.com](http://www.webcoenvironmental.com) for comment by the chemical industry in early June. The guide should be finalized by the late summer. During the fall of 2000, three workshops on how to use of the guide will be held

in Cleveland, Columbus and Cincinnati.

For more information on EnviroChem Ohio contact either Todd Foster of Webco at (513) 605-8993, or Jeff Lewis of Ohio EPA at (614) 644-2812.

## The Small Business Resource

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