



Ohio Sunset Review Committee
Agency Questionnaire

Ohio EPA Small Business Stationary Source Technical and Environmental Compliance Assistance Council

Agency Name _____

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Point of Contact _____

Agency's primary purpose and its various goals and objectives

The purpose of the Small Business Stationary Source Technical and Environmental Compliance Assistance Council, created under ORC 3704.19, is to render advisory opinions and to review the effectiveness of the Ohio Environmental Protection Agency's small business technical and environmental compliance assistance program created under ORC 3704.18. For convenience, this Council is better known as the Small Business Compliance Advisory Panel, or CAP. The CAP provides the Ohio EPA with a valuable and unique source of input concerning the impact of environmental regulations on small businesses and how to effectively communicate complex regulatory requirements to them. The CAP reviews and ensures any information, such as fact sheets and guidance documents, prepared by the small business technical and environmental compliance assistance program is understandable to the small business community. The CAP recommends strategies to efficiently deliver environmental workshops, webinars, and conferences to Ohio's business community. The CAP also reports annually to the Administrator of the United States Environmental Protection Agency (U.S. EPA) concerning the compliance of Ohio's small business technical and environmental compliance assistance program with the Paperwork Reduction Act, Regulatory Flexibility Act, and the Equal Access to Justice Act.

It is important to note that the CAP and the small business technical and environmental compliance assistance program it oversees are mandated by section 507 of the Federal Clean Air Act Amendments of 1990. By federal law, each state is required to have a CAP and a small business technical and environmental compliance assistance program in place.

Agency's past and anticipated workload, number of staff required to complete workload, and total number of staff

The CAP meets one to four times annually. Ohio EPA estimates total time expended by one staff person in support of the CAP is between 20 to 80 hours per year depending on the number of meetings and activities completed.

Although the general duties of the CAP are outlined in ORC 3704.19(B), the CAP has also participated in commenting on proposed Ohio EPA regulations, promoting the business assistance success stories and reviewing Ohio EPA's Strategic Plan for business assistance services. In essence, the CAP may exercise its discretion to discuss any environmentally related issues it feels are important to ensure that the small business technical and environmental compliance assistance program provides the best possible assistance to Ohio's business community.

Agency's past and anticipated budgets and its sources of funding

The CAP has no anticipated budget or direct source of funding that contributes to the operation of the panel. Any incidental and necessary expenses such as travel and parking fees, incurred by the CAP is reimbursable and funded by Title V permit fees collected by Ohio EPA's Division of Air Pollution Control. To date, no reimbursements have been requested.

Number of members of its governing board or other governing entity and their compensation, if any

The CAP consists of seven members; four appointed by members of the General Assembly, two by the governor, and one appointed by the Director of the Ohio EPA. CAP members appointed by the general assembly represent small businesses while members appointed by the governor represent the general public. The CAP member appointed by the Director of the Ohio EPA is an internal staffer that serves as a representative of the agency. All members serve without compensation.

Additional notes

Text of the federal Clean Air Act Amendments of 1990, Section 507(e), which mandates the establishment of a state Compliance Advisory Panel:

SEC. 507. SMALL BUSINESS STATIONARY SOURCE TECHNICAL AND ENVIRONMENTAL COMPLIANCE ASSISTANCE PROGRAM.

(e) Compliance Advisory Panel. - (1) There shall be created a Compliance Advisory Panel (hereinafter referred to as the "Panel") on the State level of not less than 7 individuals. This Panel shall-

(A) render advisory opinions concerning the effectiveness of the small business stationary source technical and environmental compliance assistance program, difficulties encountered, and degree and severity of enforcement;

(B) make periodic reports to the Administrator concerning the compliance of the State Small Business Stationary Source Technical and Environmental Compliance Assistance Program with the requirements of the Paperwork Reduction Act, the Regulatory Flexibility Act, and the Equal Access to Justice Act;

(C) review information for small business stationary sources to assure such information is understandable by the layperson; and

(D) have the Small Business Stationary Source Technical and Environmental Compliance Assistance Program serve as the secretariat for the development and dissemination of such reports and advisory opinions.

(2) The Panel shall consist of-

(A) 2 members, who are not owners, or representatives of owners, of small business stationary sources, selected by the Governor to represent the general public;

(B) 2 members selected by the State legislature who are owners, or who represent owners, of small business stationary sources (1 member each by the majority and minority leadership of the lower house, or in the case of a unicameral State legislature, 2 members each shall be selected by the majority leadership and the minority leadership, respectively, of such legislature, and subparagraph (C) shall not apply);

(C) 2 members selected by the State legislature who are owners, or who represent owners, of small business stationary sources (1 member each by the majority and minority leadership of the upper house, or the equivalent