

**SMALL BUSINESS COMPLIANCE ADVISORY PANEL
TUESDAY, JUNE 22, 2010**

Present:

Kevin Hooper, Shoppes at Telegraph Square
Brad Overmoe, Red Hanger Cleaners
Paul Glauser, Staker & Parson Company
Marie Marshall, Chamber East Chamber of Commerce
Mark May,

Paul Harding, OPAA, Business Assistance
Regg Olsen, Air Quality
Rusty Ruby, Air Quality
Bob Ford, Air Quality
Rose Kenworthy, OPAA, Executive Secretary

Welcome/Approval of Minutes: Kevin welcomed all those in attendance. Paul Glauser made a motion to approve the March 2010 minutes. Brad Overmoe seconded the motion. The motion was unanimously approved.

EPA Tailoring Rule: Regg Olsen gave an overview of the Green House Gas Tailoring Rule and how it affects permitting. In December 2009 EPA gave a formal finding of endangerment and concluded green house gases endanger the public. Previously, in October of last year, EPA issued a rule requiring the reporting of large emitters of green house gasses.

The EPA then issued a mobile source rule that regulates emissions of green house gas from vehicles. With that rule (for vehicle emissions), green house gases become regulated pollutants and subject to permitting requirements. EPA estimated an additional six (6) million sources would become subject to the permitting program. As a result, this would severely impact the ability of permitting authorities to issue permits. The Tailoring Rule was issued to address this problem in an effort to minimize the potential impact. It is intended to clearly target the larger sources of green house gasses and not deal with smaller sources.

Phase one, which is January 2, 2011, includes traditional sources of emissions that are already being permitted and establishes a threshold at 100,000 tons per year or more for permitting green house gasses. Phase two includes sources of green house gas emissions over 100,000 tons or an increase of 75,000 tons per year to get one of the two types of permits and is effective July 1, 2011. Phase 3 will look at maybe lowering the thresholds but won't kick in until 2013, after promised EPA rule making by July 1, 2012.

In Utah, there are some rule changes necessary for us to permit these emissions. These new rules should be in place by January 2nd. If nothing is implemented, then EPA could become the regulatory authority.

**SMALL BUSINESS COMPLIANCE ADVISORY PANEL
TUESDAY, JUNE 22, 2010**

Page 2

Asbestos Update: The Utah Division of Air Quality has created an Asbestos State Rules Advisory Committee which met on May 4, 2010 and May 26, 2010. Issues identified in those meetings include sewer and water damage claims for insurance and emergency restoration companies that effect drywall and dry wall mud (suspect asbestos containing materials) of less than 160 square feet (the federal de minimus regulatory level). Representative Larry Wiley discussed whether the Utah Division of Air Quality (DAQ) had legislative authority and has followed the appropriate legislative required process to develop state administrative asbestos rules below federal regulatory limits. In a discussion with Fred Nelson, Manager of the Environmental Division with the Utah Attorney Generals Office, Fred indicated that he felt the DAQ had the legislative authority and we had followed all legislative requirements when developing our state asbestos rules.

In a separate conversation with Senator Michael Waddoups, the Senator indicated that he was interested in creating legislation in the 2011 session banning asbestos containing building materials in Utah.

2010 SBEAP National Conference: The conference was held in Arlington, Virginia June 8-10, 2010. Marie reported that the new philosophy was "Going Green." Handouts at the conference were very minimal. There was a one-page agenda listing websites and information for the conference. The Website includes a log of all presentations and publications back through 1998.

We have an agreement with the IRS and the Utah Chamber of Commerce for listing information on the website. There needs to be partnering rather than re-inventing the wheel. Links with information from other states are also provided. It was recommended new members represent other areas; as auto or wood cabinet.

Paul added that Lisa Jackson gave the address at the opening session and talked about the Tailoring Rule. Paul will post link to view her opening address. There was a focus on emission standards for boilers. There is new water quality NPDES pesticide spray sprayed over water and Paul will post link. The present strategy is doing more with less. Partnering and sharing information, as well as finding a way to provide businesses with resources are important.

Paul stated that the Governor appointed Kevin Hooper for another Board term. We are waiting to hear back on the other two recommendations.

Compliance: Rusty reported they are looking into rules on PM2.5. An exceptional event (fugitive dust rule) is specific for any clearing over ¼ acres. We are reviewing ways to tighten categories. The new rule will be introduced to Cheryl in two (2) weeks. Paul will keep informed and advise Paul Glausner of the new ruling.

The meeting was adjourned. The next meeting is scheduled for September 14, 2010.