necessary to evaluate such regulations and to determine the appropriate mechanisms for compliance. In anticipation of the impact of these requirements on small businesses, the CAA requires that States adopt a Small **Business Stationary Source Technical** and Environmental Compliance Assistance Program (PROGRAM), and submit this PROGRAM as a revision to the federally approved SIP. In addition, the CAA directs the EPA to oversee these small business assistance programs and report to Congress on their implementation. The requirements for establishing a Program are set out in section 507 of title V of the CAA. In February 1992, the EPA issued "Guidelines for the Implementation of Section 507 of the 1990 Clean Air Act Amendments", in order to delineate the Federal and State roles in meeting the new statutory provisions and as a tool to provide further guidance to the States on submitting acceptable SIP revisions.

The State of Arkansas submitted a SIP revision to the EPA in order to satisfy the requirements of section 507. In order to gain full approval, the State submittal must provide for each of the following three PROGRAM elements: (1) The establishment of a Small Business Assistance Program (SBAP) to provide technical and compliance assistance to small businesses; (2) the establishment of a State Small Business Ombudsman to represent the interests of small businesses in the regulatory process; and (3) the creation of a Compliance Advisory Panel (CAP) to determine and report on the overall effectiveness of the SBAP. All areas in the State are classified attainment for each of the NAAQS pollutants.

The Region used section 507 of the CAA and considered the "SIP Revision Approval Checklist for Section 507 Small Business Assistance Program" when reviewing the State submittal for approvability. The SIP revision, discussed in detail in the Technical Support Document, is briefly outlined below.

## II. Analysis

## A. Procedural Background

The State of Arkansas has met all of the requirements of section 507 by submitting a SIP revision that implements all required PROGRAM elements. Arkansas Act 251 (Senate Bill 347) enacted by the 79th General Assembly Regular Session in 1993 and approved by the Governor on February 26, 1993, provides authority for the State to establish a CAP for the PROGRAM as required by Section 507 of the CAA. The PROGRAM is to be

administered by the Arkansas Department of Pollution Control and Ecology (ADPC&E), and is intended to help eligible small businesses understand and comply with the CAA. Included in the Act are provisions creating a CAP, establishing membership and terms of the CAP, and establishing CAP duties.

The State held a public hearing on October 19, 1992, to consider public comments on the proposed PROGRAM, which will amend the Arkansas SIP to add a revision entitled, "Arkansas Small **Business Stationary Source Technical** and Environmental Compliance Assistance Program SIP Revision". No public comments were received on the PROGRAM. The proposed SIP revision was adopted November 5, 1992, by the Arkansas Commission on Pollution Control and Ecology. The Arkansas PROGRAM was submitted to the EPA by the Governor of Arkansas on November 6, 1992, as a revision to the Arkansas SIP. Additional information (draft Arkansas CAP legislation) was submitted on January 6, 1993. The submittal was initially reviewed for completeness and was determined complete on January 15, 1993. Supplemental information (Arkansas Act 251) was submitted on April 23, 1993. The submittal was then reviewed for approvability by EPA Region 6 and EPA headquarters.

## B. Plan Requirements

## 1. Small Business Assistance Program

The first PROGRAM element is the establishment of a SBAP to provide technical and compliance assistance to small businesses.

The State has met the first PROGRAM element by committing in its SIP revision, sections (c) "Small Business Assistance Program (SBAP)", and (g) "Schedule of Program Implementation", to establish an SBAP in the Air Division of the ADPC&E, which meets the six requirements set forth in section 507(a). (Details are presented in the EPA's Technical Support Document and the State's submittal.) It will be administered by an SBAP coordinator in the Air Division.

a. Section 507(a) sets forth six requirements <sup>1</sup> that the State must meet to have an approvable SBAP. The first requirement is to establish adequate mechanisms for developing, collecting, and coordinating information concerning compliance methods and technologies for small business stationary sources, and programs to

encourage lawful cooperation among such sources and other persons to further compliance with the CAA.

The State has met this requirement. The SBAP coordinator will be charged with the duties of collecting, developing, and coordinating information on compliance methods and technologies for small business stationary sources. The SBAP will include a proactive component and a reactive component.

(i) Proactive Component. The SBAP coordinator will be responsible for operating the SBAP and will work in the Air Division of the ADPC&E. Small businesses that are, or will be, affected by CAA requirements will be placed in a computer database. The database will contain information such as the facility address, environmental contact, and Standard Industrial Classification code. Possible sources of data for this database are the existing ADPC&E data files and the Arkansas Industrial Development Commission database. This system will enable the SBAP to notify small businesses of the existence of the SBAP (through newsletters) and any new or upcoming applicable air pollution requirements of the CAA. Additionally, the SBAP coordinator will be available, upon reasonable request, to trade associations or industry groups representing small businesses for seminars and workshops.

(ii) Reactive Component. The SBAP coordinator will be responsible for handling questions from small businesses. The coordinator will act as an information clearinghouse, and will be responsible for making sure that small businesses receive the requested information either by phone or by mail. A small library of applicable literature will be maintained by the coordinator. If the coordinator cannot supply the requested information directly, he shall be responsible for seeking out the information from other available channels, such as the Air Division staff, EPA technical support services (including the Technology Transfer Network bulletin board), industry contacts, etc. The names and the direct telephone numbers of the SBAP coordinator and Ombudsman will be published in a newsletter to allow for quick access.

b. The second requirement is to establish adequate mechanisms for assisting small business stationary sources with pollution prevention and accidental release detection and prevention, including providing information concerning alternative technologies, process changes, products and methods of operation that help reduce air pollution.

<sup>&</sup>lt;sup>1</sup> A seventh requirement of section 507(a), establishment of an Ombudsman office, is discussed in the next section.