UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 2 0 2014

CERTIFIED MAIL # 7009 0080 0001 2086 8326
RETURN RECEIPT REQUESTED

Mr. John Hogarth
Plant Manager
Exide Technologies, Inc.
2700 South Indiana Street
Vernon, California 90058

Dear Mr. Hogarth:

Exide Technologies, Inc. ("Exide") owns and operates a lead battery recycling facility at 2700 South Indiana Street in Vernon, California (the "Facility"). The Facility is under the primary jurisdiction of the South Coast Air Quality Management District ("SCAQMD" or the "District"), and is subject to District Rule 1420.1 (Emissions Standard for Lead from Large Lead-Acid Battery Recycling Facilities). District Rule 1420.1 has been approved by EPA into the California State Implementation Plan (see 78 FR 5305; January 25, 2013) and is federally enforceable. The Facility is also subject to federal National Emission Standards for Hazardous Air Pollutants ("NESHAP") requirements, specifically 40 C.F.R. Part 63, Subpart X, "NESHAP for Secondary Lead Smelting" ("Subpart X").

Request to Provide Information Pursuant to the Clean Air Act

For the purpose of determining whether the Exide Facility is in compliance with District Rule 1420.1, NESHAP Subpart X, and other requirements of the federal Clean Air Act, 42 U.S.C. §§ 7401-7671q (the "Act"), the U.S. Environmental Protection Agency ("EPA") is requiring Exide to submit to EPA certain information about the Vernon Facility. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that Exide must submit. EPA is issuing this information request pursuant to Section 114(a) of the Act, which authorizes the Administrator of EPA to require submission of information. The Administrator has delegated this authority to the Director of the Enforcement Division, Region 9.

Exide shall submit its response to this request postmarked no later than July 25, 2014. Exide must submit its response along with a cover letter that includes Exide's written responses to the request via certified mail with return receipt requested to the following address:

Ms. Kathleen H. Johnson
Director, Enforcement Division (ENF-1)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Attn: Mark Sims (ENF-2-1)

Printed on Recycled Paper

Exide's response must be signed by a responsible corporate official of Exide with the following certification:

> I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based upon my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

Please be advised that under Section 113(a) of the Act, failure to provide the information required by this letter may result in an Order requiring compliance, and Order assessing an administrative penalty, or a civil action for appropriate relief. In addition, Section 113(c) of the Act provides for criminal penalties for knowingly making any false statements or omission in any response required under the Act. EPA may also seek criminal penalties from any person who knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of EPA or in relation to or contemplation of any such matter or case. See 18 U.S.C. § 1519. The information provided by you may be used by the United States in administrative, civil, or criminal proceedings.

As explained more fully in Appendix C, you may, if you desire, assert a business confidentiality claim on behalf of Exide covering part or all of the information provided to EPA in response to this letter. Any such claim for confidentiality must conform to the requirements set forth in 40 C.F.R. Part 2, Subpart B. You are advised that certain information may be made available to the public pursuant to 42 U.S.C. § 7414(c) and 40 C.F.R. § 2.301, notwithstanding a claim that such information is entitled to confidential treatment. If no claim of confidentiality is received with your reply, the information may be made available to the public without notice to Exide. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

If Exide seeks to withhold any documents based on a claim of attorney-client communications privilege or the attorney work product doctrine in its response to this information request, provide a privilege log for each document containing the following information:

1. The date, author(s), every individual to whom the document was originally sent, every individual who subsequently acquired the document, the purpose for which the document was sent to or obtained by those individuals, and the employment titles of the authors and recipients;
2. The subject matter of the document;
3. The privilege claimed for the document and all facts supporting the claim of privilege;
4. The primary purpose(s), including any business purposes, for which the document was made;
5. The question(s) in EPA's information request that the document is responsive to; and
6. All facts contained in the document that are responsive to a question in EPA's 114 letter.

This information request is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is not a "collection of information" within the meaning of 44 U.S.C. §§ 3502(3) and 3518(c)(1) since it is being directed to fewer than ten persons or entities and is being issued during the conduct of an investigation involving the EPA against specific individuals or entities. See also 5 C.F.R. §§ 1320.3(c) and 1320.4.

We would also like to take this opportunity to advise you that Exide may qualify as a "small business" under the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"). Please review the enclosed SBREFA Information Sheet, which is designed to provide information on compliance assistance to entities that may qualify as small businesses as well as to inform them of their right to comment to the SBREFA Ombudsman concerning EPA's enforcement activities. Please be aware that SBREFA does not eliminate Exide's responsibility to respond in a timely fashion to any complaint or information request that EPA may issue or other enforcement action that EPA may take, nor does SBREFA create any new rights or defenses under the law other than the right to comment to the SBREFA Ombudsman.

If you anticipate being unable to respond fully to this request within the time period specified, you must submit a sworn declaration by a responsible corporate official within ten (10) calendar days after your receipt of this letter, specifying what information will be provided within the time specified, describing what efforts have been/are being made to obtain other responsive information and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based upon such declaration, EPA may extend the time in which responsive information must be provided. Also, please contact us if you determine that a full response to a particular request would require an extremely large amount of documents to be provided in response. Based upon such notification, EPA may modify the method of production or scope of documents required to be produced.

If you have any questions regarding this request, please contact Mark Sims of my staff at (415) 972-3965, or have your attorney contact Kara Christenson at (415) 972-3881. Thank you for your cooperation in this matter.

Sincerely,

Kathleen H. Johnson
Director, Enforcement Division

Enclosures

cc: Mr. Barry Wallerstein, SCAQMD
Mr. Mohsen Nazemi, SCAQMD

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.

2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.

3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds. The documents shall be chronologically organized by each question and be BATES stamped.

4. If there are no documents or information responsive to an individual question, this must be so stated in the written response.

5. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.

6. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.

7. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6 below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.

2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or similar item.

4. Provide a table of contents for each disk or drive so that each document can be accurately identified in relation to your response to a specific question. We recommend the use of electronic file folders organized by question number. In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).

5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.

6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms use in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq*.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.

2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating, or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Exide must submit the following information and documents pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), postmarked no later than July 25, 2014.

1. A current Facility process flow diagram which shows each emission unit and process step including, but not limited to, raw lead materials processing areas, lead material handling or storage areas, crushers, dryers, furnaces, cupolas, hoppers, taps, battery breakers, refining kettles, casting/strip casting areas, agglomerating furnaces and agglomerating furnace product taps, areas where dust from fabric filters or sweepings or used fabric filters are processed, etc., and associated total enclosures and air pollution control devices.

2. For each emission unit, air pollution control device, and total enclosure identified in request 1, provide the maximum design capacity air flow rate for that unit, device, or enclosure. In addition, for each lead reverberatory, cupola, blast, receiving, and refining furnace and kettle, state the maximum design capacity of that furnace or kettle to process lead in pounds of lead per hour.

3. For each emission unit and process step identified in request 1, state whether that emission unit or process step is an *affected source* as that term is defined in 40 C.F.R. § 63.542. For each affected source, state whether that affected source commenced construction or reconstruction prior to or after May 19, 2011. For each blast and reverberatory furnace, state whether that furnace commenced construction or reconstruction after June 9, 1994.

4. For each emission unit identified in request 1, state the type of air pollution control device used (wet scrubber, positive pressure baghouse, negative pressure baghouse, baghouse with HEPA filter, baghouse with double HEPA filter, filter bag, etc.).

5. A copy of each compliance plan submitted to the District as required by District Rule 1420.1(g). Include in your response any correspondence between Exide and the District concerning each compliance plan.

6. Regarding implementation of Exide's Final Risk Reduction Plan (March 2014), copies of all correspondence, information, and documents between Exide and the District subsequent to the District's March 19, 2014, letter approving Exide's Final Risk Reduction Plan.

7. From January 2000 to the present, a copy of each ventilation, engineering, or particle size study associated with identifying, quantifying, or reducing lead emissions from the Facility. For each study, state whether Exide undertook the study to determine compliance with NESHAP Subpart X.

8. A listing and location of each digital differential pressure monitoring system at the Facility operated pursuant to District Rule 1420.1(e)(4) and 40 C.F.R. § 63.548(k). For each digital differential pressure monitoring system, state the manufacturer name, model number, and serial number of the system along with the measured differential pressure range of the system. For each system, state the dates of all calibrations conducted since January 25, 2013, as required by

District Rule 1420.1(e)(4)(E) and 40 C.F.R. § 63.548(k)(5), and provide supporting documentation.

9. For each Facility total enclosure, including buildings used as total enclosures, identify each opening in the total enclosure including, but not limited to, vents, windows, passages, doorways, bay doors, roll-ups, and holes. For each opening identified, state the type of in-draft velocity device used (manufacturer name, model number, serial number, and measured flow range) to measure the in-draft velocity of the opening as required by District Rule 1420.1(e)(5).

10. A Facility plot plan showing the location of each monitor operated by Exide since January 25, 2013, as required by District Rule 1420.1(j).

11. For each monitor from January 25, 2013, to the present, (i) records of results of all ambient air lead monitoring pursuant to District Rule 1420.1(m), and (ii) a copy of each report submitted to the District pursuant to District Rule 1420.1(n)(1)(A) and (B).

12. From January 25, 2013, to the present, identify specifically by date and time each maintenance activity as defined by District Rule 1420.1(c)(15) conducted at the Facility. For each maintenance activity identified, state specifically the procedure(s) Exide used to comply with the requirements of District Rule 1420.1(i). Include in this response, for each maintenance activity, any associated District notifications and approvals.

13. From January 25, 2013, to the present, any shutdown, turnaround, and maintenance activity notifications required by District Rule 1420.1(n)(2). Include in this response any associated District approvals. It is not necessary to include in this response any District notifications or approvals responsive to request 12.

14. All standard operating procedures manuals for sources of fugitive dust and for baghouses and all notifications and updates submitted to the EPA or the District pursuant to 40 C.F.R. §§ 63.545(a), 63.548(a), 63.549(b), and 63.550(b). Please state the date that each manual and notification was submitted to EPA or the District, and provide documentation of the date of the submittal.

15. From January 1, 2010, to the present, all bag leak detection system records required by 40 C.F.R. § 63.550(c)(1)-(3). In addition, provide a technical justification for each change to alarm set points and delay times made from January 1, 2010, to the present.

16. For each digital differential pressure monitoring system from January 25, 2013, to the present, provide the electronic records (as required by 40 C.F.R. §§ 63.548(k) and 63.550(c)(6) for continuous pressure monitors for total enclosures). Identify all periods when pressure was not maintained as required by 40 C.F.R. § 63.544(c)(1) (i.e., 0.013 mm of mercury). If a loss of power occurred either to the continuous pressure monitors or to the air handling system maintaining negative pressure on total enclosures, provide records documenting each such occurrence and its duration, as required by 40 C.F.R. § 63.550(c)(7). For each period identified where pressure was not maintained or power was lost, provide records of the corrective actions taken and all related documentation as required by 40 C.F.R. §§ 63.550(c)(11) and (12).

17. For each continuous temperature monitoring device from January 1, 2010, installed or operated to comply with the requirements of 40 C.F.R. § 63.548(j)(1), identify and state the location of each such device and provide the results of the initial performance or compliance test conducted pursuant to 40 C.F.R. § 63.548(j)(2).

18. From January 1, 2010, to the present, all continuous temperature monitor output electronic records required by 40 C.F.R. § 63.550(c)(5), including an identification of each period when the 3-hour average temperature fell below the minimum established under § 63.548(j)(4) and an explanation of the corrective actions taken.

19. From January 1, 2010, to the present, electronic records of the pressure drop and water flow rate values for wet scrubbers used to control metal hazardous air pollutant emissions from process fugitive sources as required by 40 C.F.R. § 63.550(c)(4), and the pressure drop and water flow rate results of the initial performance or compliance test conducted pursuant to 40 C.F.R. § 63.548(i).

20. Provide a copy of each report for emissions testing conducted at the Facility from January 1, 2010, to the date of receipt of this letter. Identify which tests were conducted for purposes of compliance with District Rule 1420.1(k) and which tests were conducted for purposes of compliance with NESHAP Subpart X. For each report, include in this response any associated protocols or approvals.

21. If not already provided in response to request 20, the results of all initial and subsequent performance or compliance tests conducted to determine compliance with the total hydrocarbons, dioxins, and furans standard in 40 C.F.R. § 63.543(c) and Subpart X, Table 2.

22. Pursuant to the requirements contained in 40 C.F.R. § 63.543(m), describe in detail the process Exide employs to separate plastic battery casing materials from all automotive batteries prior to introducing feed into a furnace.

23. From January 1, 2010, to the present, all reports submitted pursuant to 40 C.F.R. § 63.550(d) Subpart X, Table 1, and 40 C.F.R. § 63.10.

24. From January 1, 2010, to the present, a copy of each Title V annual compliance certification, each semi-annual monitoring certification, and all monthly monitoring reports submitted to the District and/or EPA. In response to this request, do not submit any monthly reports already submitted in response to request 11 above.

25. From January 1, 2000, to the present, a copy of each Title V permit application submitted to the District for the Facility.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emissions data" means, with reference to any source of emissions of any substance into the air:

> Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;
>
> Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and
>
> A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A),(B), and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(a) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a special event will eliminate the need for confidentiality, please specify that event.

2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the period of time specified in your answer to question number 1?

3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?

4. Is the information contained in any publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?

5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.

6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.

8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim**. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical, and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

EPA United States Environmental Protection Agency

Office of Enforcement and Compliance Assurance (2201A)
EPA-300-F-11-006 June 2011

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage
www.epa.gov/compliance/assistance/business.html

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers
www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture
www.epa.gov/agriculture/

Automotive Recycling
www.ecarcenter.org

Automotive Service and Repair
www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing
www.chemalliance.org

Construction
www.cicacenter.org or 1-734-995-4911

Education
www.campuserc.org

Food Processing
www.fpeac.org

Healthcare
www.hercenter.org

Local Government
www.lgean.org

Metal Finishing
www.nmfrc.org

Paints and Coatings
www.paintcenter.org

Printed Wiring Board Manufacturing
www.pwbrc.org

Printing
www.pneac.org

Ports
www.portcompliance.org

U.S. Border Compliance and Import/Export Issues
www.bordercenter.org

Hotlines, Helplines and Clearinghouses
www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline
info-antimicrobial@epa.gov or 1-703-308-6411

Clean Air Technology Center (CATC) Info-line
www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act
www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline
www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center
www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline - to report oil and hazardous substance spills
www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)
www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline
www.epa.gov/safewater/hotline/index.html or 1-800-426-4791

Stratospheric Ozone Protection Hotline
www.epa.gov/ozone or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline
tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline
www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators
www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)
www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center
www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal
www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy
www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy
www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.