

Start time: 12:56 PM
End time: 3:49 PM

NEBRASKA

The logo for the Nebraska Department of Environment and Energy features the word "NEBRASKA" in a bold, blue, sans-serif font. A thick, orange-yellow swoosh underline starts under the 'N', passes under the 'B', 'R', 'A', and 'S', and ends under the 'K'. The swoosh is slightly curved and tapers at both ends.

DEPT. OF ENVIRONMENT AND ENERGY
2024

Nebraska Small Business Compliance Advisory Panel
Annual Report

Submitted to Governor Jim Pillen
December 23, 2024

Required submission date: December 31, 2024

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Message from the Small Business Compliance Advisory Panel

The Small Business Compliance Advisory Panel (SBCAP) has worked closely with the Nebraska Department of Environment and Energy (NDEE) since 2000, supporting small businesses across the State of Nebraska.

The value of this partnership remains steadfast as it provides a voice for businesses through statewide representation and collaborative efforts between the panel and the agency. Nebraska SBCAP continues to stand out as other states lack a comparable active panel. This ongoing collaboration with the state is invaluable and greatly appreciated.

In October 2024, NDEE met with members of the panel for our regularly scheduled annual meeting.

At this meeting, the panel reviewed key updates and initiatives undertaken by NDEE over the past year. Highlights included progress on the AltEn remediation activities, the Nitrate Study, and the significant achievement of securing the Climate Pollution Reduction Grant (CPRG) from the EPA. This \$307 million award represents a historic investment in Nebraska's environmental future, enabling initiatives like the ONE RED program and bioeconomy efforts that will benefit small businesses and the state at large.

The panel also engaged in discussions to identify ways NDEE can better interact with small businesses and enhance public engagement at meetings. Panel members stressed the importance of encouraging public participation and fostering trust between the agency and the communities it serves. These discussions underscore our shared mission of ensuring regulatory compliance is accessible and transparent for all.

Additionally, the agency's commitment to outreach and education was evident in the data presented on calls, emails, and events conducted over the past year. This emphasis on community engagement continues to build the trust and understanding necessary for effective compliance and collaboration.

We are dedicated to providing support to small and new businesses through ongoing cooperation. This panel provides a unique opportunity to address concerns raised by the small business community, ensuring their voices are heard and their needs met.

We look forward to another successful year in 2024, strengthening Nebraska's small businesses and advancing environmental stewardship.

Sincerely,



Jim Hellbusch
Small Business Compliance Advisory Panel Chair
Owner of Duo-Lift Manufacturing-Columbus, NE

Background

Small Business Compliance Advisory Panel

The federal Clean Air Act (CAA) Amendments of 1990 required all states to establish a Small Business Assistance Program and Small Business Compliance Advisory Panel (SBCAP) to assist small businesses in complying with its provisions. The State of Nebraska extended the services of the small business assistance program to include not only air but all media—land, water, and energy.

After more than 25 years, Nebraska’s Small Business Compliance Advisory Panel is still actively engaged. The group consists of four representatives from small businesses selected by the state legislature, two individuals from the general public selected by the Governor, and one member from the Department selected by the Director of NDEE, resulting in a panel of seven.

The SBCAP's goal is to break down communication barriers, increase trust, and provide relevant regulatory information to assist businesses and communities.

Panel Members

Legislative Appointees

- Jim Hellbusch - Panel Chair/Owner of Duo-Lift Mfg., Columbus
- Rick Bettger - Owner of Omaha Car Care, Omaha
- Boyd Dingman - Owner of Dingman’s Collision Center, Omaha
- Jack Schreiner - Owner of Bruckman Rubber, Hastings

Governor Appointees

- Sharon Hueftle - Executive Director, South Central Economic Development District

NDEE Appointee

- Reuel Anderson - Division Administrator, Permitting and Engineering Division (Appointed August 2021)

Highlights from the Small Business Compliance Advisory Panel Annual Meeting

The 2024 annual meeting occurred on October 25th at the NDEE office in Lincoln, Nebraska. At this meeting, the SBCAP and NDEE staff showed continued progress on efforts that impact regulated businesses and industries.

Kara Valentine, the interim director of NDEE, also gave a welcome speech that included updates on the search for a new director, AltEn remediation, the nitrate study, and the Climate Pollution Reduction Grant award from the EPA. Then, NDEE staff gave presentations and updates on NDEE agency outreach, NDEE air permitting programs, the Brownfields and Voluntary Cleanup program, the ONE RED program, and the bioeconomy.

Panelist Comments and Suggestions for NDEE

- As part of the panel’s review of the 2023 SBCAP Report and general discussion, the members reaffirmed recommendations, encouraging the Department to reach out to Nebraska’s regulated communities, continue to be responsive and transparent, and make compliance easy. They lauded the presenters for their ability to communicate their programs effectively and recommended other ways to reach regulated audiences.

- The panel highlighted the historical role of the SBCAP as a liaison between NDEE and Nebraska communities. They suggested that reemphasizing this role could strengthen relationships and trust between the agency and the public.
- Continued expansion of outreach, specifically in areas outside of Lincoln and Omaha, was also discussed to ensure equitable support and representation throughout the state.

Environmental Assistance Services

The Nebraska Department of Environment and Energy (NDEE) continually works with new and existing businesses, industries, and municipalities across the state to protect, preserve, and enhance our air, land, water, and energy resources by issuing required permits, offering grants and loans, and assisting all entities in managing waste and protecting our shared environmental resources.

Many new businesses are not sure which permits they are subject to, what tools are available, or what actions are allowed or required before starting. NDEE's [Small Business and Public Assistance Program](#) is in place for Nebraska businesses that have questions about permitting and regulatory processes. It offers several services for new and existing businesses to have their questions answered.

Assistance services available to newly proposed or expanding businesses and industries include:

- **Scoping Meetings:** These meetings are for businesses and industries new to Nebraska or within Nebraska. They afford businesses and industries an opportunity to meet pertinent NDEE staff and learn about the permitting process, including potential associated permitting fees and timeframes.
- **One-Stop Shop Permitting Meetings:** These meetings are meant to spur discussion between the newly proposed or expanding business or industry and NDEE permitting staff in all media—air, land, and water. The goal of this meeting is to understand the potential permitting requirements based on the business or industry's proposed project activities.

Assistance service for any business or industry is:

- **Compliance Assistance Visits:** These meetings are on-site services where NDEE's compliance programming staff visit a facility to help the business identify potential environmental compliance gaps, to identify possible solutions, to provide training on general compliance requirements and the associated tools for meeting those requirements, and to understand the physical and process requirements a facility needs to meet its environmental compliance goals.

Although NDEE is focused on developing relationships with permitted facilities and achieving voluntary compliance, an assistance request and assistance visits through this program are not shields for enforcement if violations present an immediate or substantial threat to human health or the environment.

Assistance services for regulated entities are:

- **Individual Site Assistance/Training:** These meetings are conducted after receiving a request during or after a routine compliance inspection. They occur on-site and include strengthening a regulated party's staff's ability to meet compliance requirements and using tools to record and/or report data for regulatory purposes. These meetings may also include reviewing and providing training on specific compliance-related activities, such as how to conduct sampling for equipment of interest.
- **Permit Assistance Visits:** These visits are on-site services where permit programming staff answer permit-related questions on new, existing, or modified permits.

NDEE’s goal is to guide facilities to compliance early on to avoid violations down the road. Services are made available by request. For multi-media assistance, contact the NDEE Environmental Assistance Coordinator at NDEE.Assistance@nebraska.gov.

New businesses can also consult [Permit Assistance Questions](#) on NDEE’s web page, which was created by permitting staff to help businesses determine whether a permit applies to their proposed project activities.

2024 NDEE Assistance Activities Completed

NDEE programs reported providing outreach via 28,461 phone calls and texts and 36,868 emails. The programs also reported providing outreach at 121 events (Figure 1), 99 of which were single-program outreach events, while the other 22 were multi-program outreach events.

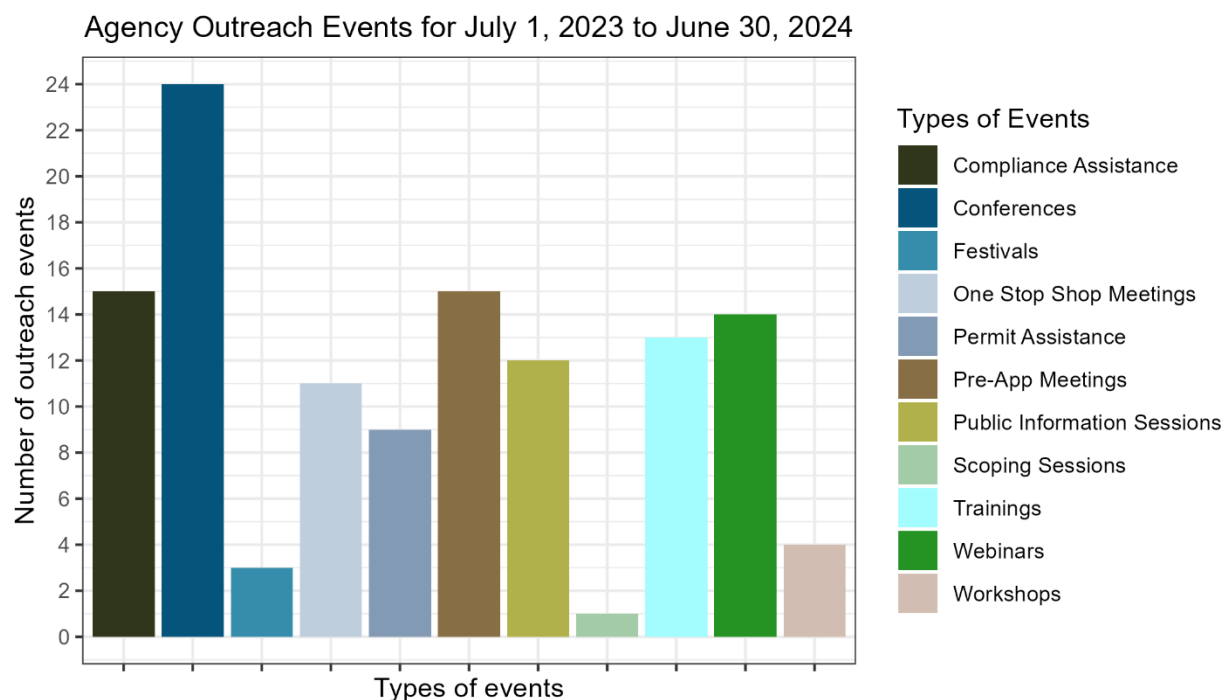


Figure 1. The 121 events were divided into types of events to understand better how NDEE programs provided outreach from July 1, 2023, to June 30, 2024.

Engagement, Outreach, and Training

NDEE supplies hundreds of guidance documents and informational materials on its website to help businesses and industries understand the state’s environmental permitting requirements. In addition to the program pages, one can easily find publications, grants, and forms under the “Forms” page in the menu. To better understand when a permit may be applicable to businesses, permitting staff recently created a list of preliminary questions with reference documents that can be found on the new NDEE website, dee.nebraska.gov, under “Permit Assistance Questions.”

NDEE staff regularly give presentations and trainings to groups in a wide array of fields, including:

- Cornhuskers Girls State Team: NDEE staff cohosted high school students with other agencies at the Fallbrook office to teach them about their respective agencies, make connections, and help the students learn about the possibilities that exist in state government work.
- Annual Capacity Development Stakeholder Meeting
- Nebraska School of Nutrition Association Conference
- 2024 Legislative Conference
- AWWA Joint Conference
- NERWA Fall Conference
- Big Blue Compact Water Quality Committee Meeting
- CPRG Webinar Kick-Off
- International Environment Day Webinar and Podcast
- AWWA Fall Conference
- Floodplain Day
- 2023 Power Summit
- CPRG Conservation Roundtable
- Wind and Solar Conference
- Seward County Commissioner Meeting
- Lead Remediation in Schools Program Launch
- UNL's Future Problem Solvers
- Annual Capital Development Stakeholder Meetings
- UNL Land Application Training (2)
- Nebraska Water Industries Convention Tradeshow
- Brownfields Redevelopment Workshop
- 2024 National CAFO Roundtable
- EPA-State SRF Workgroup
- NDEE Brownfields, Funding, and Outreach Strategies
- NMPP Energy Annual Conference

Activities Coordinated with Other Agencies

NDEE staff also regularly coordinate activities with other agencies, both in-state and out-of-state, including:

- The annual Power Summit between Nebraska public utilities and NDEE
- The NDOT/NDEE air annual MOU meeting
- The Cornhuskers Girl State Team for high school student leaders
- Lead Service Line Replacement training set-up.

NDEE Training Webinars and Virtual Outreach Events

- CPRG Transportation Sector Workgroup Meetings (2)
- CPRG Agricultural Sector Workgroup Meetings (2)
- CPRG Waste/Industry Sector Workgroup Meetings (2)
- CPRG Building, Housing, and Communities Workgroup Meeting (2)
- CPRG Energy Sector Workgroup Meetings (2)

- 2024 Litter and Waste Grants Application Webinar

The Future

As Nebraska continues to attract and retain new talent in the small business sector, it is important to continue to highlight the value of maintaining and promoting the roles, achievements, and activities of the Small Business Compliance Advisory Panel in relation to its ongoing partnership with NDEE.

According to 2021 Statistics of U.S. Business annual data and 2022 Nonemployer Statistics data from the U.S. Census Bureau, over 85 percent of Nebraska businesses are small by the definition of the Clean Air Act Amendments of 1990. The panel and NDEE will advance the protection of the environment and human health while maintaining a balance with small business growth.

We appreciate your support and consideration of our achievements in 2024 and look forward to even more accomplishments in 2025.

Please direct any questions regarding this report to:

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