

**116.98 OMBUDSMAN FOR SMALL BUSINESS AIR QUALITY COMPLIANCE ASSISTANCE PROGRAM.**

Subdivision 1. **Appointment.** The commissioner shall appoint an ombudsman for small business air quality compliance assistance in the classified service.

Subd. 2. **Duties.** The ombudsman shall provide direct oversight of the small business air quality compliance assistance program. The ombudsman's duties include, but are not limited to:

- (1) conducting independent evaluations of all aspects of the program;
- (2) monitoring, reviewing, and providing comments and recommendations to federal, state, and local air quality authorities on laws and regulations that impact small businesses;
- (3) facilitating and promoting the participation of small businesses in the development of laws and regulations that affect them;
- (4) providing reports to federal, state, and local air quality authorities and the public on the requirements of the Clean Air Act and their impact on small businesses;
- (5) disseminating information concerning proposed air quality regulations, control technologies, and other information to small businesses and other interested parties;
- (6) participating in and sponsoring meetings and conferences concerning air quality laws and regulations with state and local regulatory officials, industry groups, and small business representatives;
- (7) investigating and assisting in the resolution of complaints and disputes from small businesses against state or local air quality authorities;
- (8) periodically reviewing the work and services provided by the program with trade associations and small business representatives;
- (9) operating a toll-free telephone line to provide free, confidential help on individual source problems and grievances;
- (10) referring small businesses to appropriate technical specialists for information and assistance on affordable alternative technologies, process changes, products, and operational methods to help reduce air pollution and accidental releases;
- (11) arranging for and assisting in the preparation of program guideline documents to ensure that the language is readily understandable by the lay person;
- (12) establishing cooperative programs with trade associations and small businesses to promote and achieve voluntary compliance with federal and state air quality laws and regulations;
- (13) establishing cooperative programs with federal, state, and local governmental entities and the private sector to assist small businesses in securing sources of funds to comply with federal, state, and local air quality laws and regulations;
- (14) conducting studies to evaluate the impacts of federal and state air quality laws and regulations on the state's economy, local economies, and small businesses;
- (15) serving as a voting member of the Small Business Air Quality Compliance Advisory Council established by section 116.99; and

(16) performing the ombudsman's duties in cooperation and coordination with governmental entities and private organizations as appropriate so as to eliminate overlap and duplication to the extent practicable.

Subd. 3. **Independence of action.** In carrying out the duties imposed by sections 116.96 to 116.99, the ombudsman may act independently of the agency in providing testimony to the legislature, contacting and making periodic reports to federal and state officials as necessary to carry out the duties imposed by sections 116.96 to 116.99, and addressing problems of concern to small businesses.

Subd. 4. **Qualifications.** The ombudsman must be knowledgeable about federal and state air quality laws and regulations, control technologies, and federal and state legislative and regulatory processes. The ombudsman must be experienced in dealing with both private enterprise and governmental entities, arbitration and negotiation, interpretation of laws and regulations, investigation, record keeping, report writing, public speaking, and management.

Subd. 5. **Office support.** The commissioner shall provide the ombudsman with the necessary office space, supplies, equipment, and clerical support to effectively perform the duties imposed by sections 116.96 to 116.99.

**History:** 1992 c 546 s 8