



## Spill Prevention, Control, and Countermeasure (SPCC) Rule Proposed Compliance Date Extension

In July 2010, EPA proposed to amend the date by which certain facilities must prepare or amend Spill Prevention, Control, and Countermeasure (SPCC) Plans, and implement those Plans. The proposed date, November 10, 2011, is one year from the current SPCC compliance date of November 10, 2010.

However, EPA is proposing to maintain the current November 10, 2010 compliance date for drilling, production and workover facilities that are offshore or that have an offshore component, or for onshore facilities required to have and submit Facility Response Plans (FRPs). Additionally, the Agency is proposing to delay the compliance date for facilities with milk containers, associated piping and appurtenances that are constructed according to the current applicable 3-A Sanitary Standards, and subject to the current applicable Grade "A" Pasteurized Milk Ordinance (PMO) or a State dairy regulatory requirement equivalent to the current applicable PMO. The public has the opportunity to comment on this proposed rule during a 15-day period following its publication in the *Federal Register*.

### What are the proposed compliance dates for SPCC facilities (except as noted below)?

<b><i>A facility, including a mobile or portable facility, starting operation...</i></b>	<b><i>Would be required to...</i></b>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than <b>November 10, 2011</b>
After August 16, 2002 through <b>November 10, 2011</b>	Prepare and implement an SPCC Plan no later than <b>November 10, 2011</b>
After <b>November 10, 2011</b> (excluding production facilities)	Prepare and implement an SPCC Plan <i>before</i> beginning operations
After <b>November 10, 2011</b> (production facilities)	Prepare and implement an SPCC Plan <i>within six months after</i> beginning operations. <sup>1</sup>

### Which SPCC facilities have a delayed compliance date?

The compliance date is delayed for facilities with milk containers, associated piping and appurtenances constructed according to the current applicable 3-A Sanitary Standards and subject to the current applicable Grade "A" Pasteurized Milk Ordinance (PMO) or State dairy regulatory requirements equivalent to the current applicable PMO. This proposal is to allow the Agency to take final action on the January 15, 2009 proposal to exempt these containers from the SPCC requirements. The compliance date would be delayed to one year from the effective date of a final rule addressing the SPCC requirements specifically for these milk containers, associated piping and appurtenances, or as specified by a rule that otherwise establishes a new compliance date for these facilities.

<sup>1</sup> EPA recognizes that for some oil fields, based on the often variable conditions of the oil reservoir, the type and proportion of products may be uncertain until after the process of extraction has started. On December 5, 2008 (73 FR 74236) EPA finalized an amendment to allow a new oil production facility (i.e., one that becomes operational after the compliance date) a period of six months after the start of operations to prepare and implement an SPCC Plan to address these concerns.

**Which SPCC facilities remain subject to the November 10, 2010 compliance date?**

<b><i>A drilling, production or workover facility, including a mobile or portable facility, located offshore or with an offshore component or an onshore facility that is required to have and submit FRPs starting operation...</i></b>	<b><i>Would be required to...</i></b>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than <b>November 10, 2010</b>
After August 16, 2002 through <b>November 10, 2010</b>	Prepare and implement an SPCC Plan no later than <b>November 10, 2010</b>
After <b>November 10, 2010</b> (excluding production facilities)	Prepare and implement an SPCC Plan <i>before</i> beginning operations
After <b>November 10, 2010</b> (production facilities)	Prepare and implement an SPCC Plan <i>within six months after</i> beginning operations.

**Why is EPA proposing to extend the compliance dates?**

- To provide owners or operators of facilities that pose a lower threat of having significant oil spills to navigable waters or adjoining shorelines the opportunity to fully understand the regulatory amendments offered by revisions to the SPCC rule promulgated in 2008 and 2009 and to allow these facilities additional time to make any changes necessary to comply with the revised SPCC requirements.
- To allow the Agency to take final action on a January 15, 2009 proposal to exempt certain milk containers, associated piping, and appurtenances from the SPCC requirements.

**How do I comment on this proposed rule?**

Please submit your comments on the proposed amendments at <http://www.regulations.gov>. Follow the online instructions to comment on Docket ID No. EPA-HQ-OPA-2009-0880. Any alternative dates presented must include appropriate rationale and supporting data for the Agency to be able to consider them for final action.

**For More Information****Read the proposed SPCC rule amendment**

<http://www.epa.gov/emergencies/spcc>

**Comment on the proposed SPCC rule amendment and review docket documents**

<http://www.regulations.gov>

Follow the online instructions to comment on Docket ID No. EPA-HQ-OPA-2009-0880

**Review the Oil Pollution Prevention regulation (40 CFR part 112)**

<http://www.gpoaccess.gov/cfr/>

**Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center**

(800) 424-9346 or (703) 412-9810

TDD (800) 553-7672 or (703) 412-3323

<http://www.epa.gov/superfund/resources/infocenter>

**To Report an Oil or Chemical Spill****Call the National Response Center:**

(800) 424-8802 or (202) 267-2675

TDD (202) 267-4477