



Spill Prevention, Control, and Countermeasure (SPCC) Compliance Date Extension for Farms – Final Rule

On October 18, 2011, the U.S. EPA issued both a direct final (76 FR 64245) and a proposed rule (76 FR 64296) to amend the date by which farms must prepare or amend and implement their Spill Prevention, Control, and Countermeasure (SPCC) Plans, to **May 10, 2013**. Prior to the close of the public comment period for the concurrent proposed rule, the Agency received written adverse comments concerning the amended compliance dates. The final rule supersedes any and all prior published rules, including the direct final rule, in the extending the compliance date to May 10, 2013, for the owners or operators of farms.

Which SPCC facilities would receive the proposed compliance date extension?

Industry Sector	NAICS Code
Farms	111, 112
Government	92

***Note:** This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated.

The final rule does not remove the regulatory requirement for owners or operators of farms in operation before August 16, 2002, to maintain and continue implementing an SPCC Plan in accordance with the SPCC regulations then in effect. Such farms continue to be required to maintain plans during the interim until the applicable compliance date for amending and implementing the amended Plans. Finally, the final rule does not relieve farms from any other applicable environmental regulations or requirements.

Why is EPA proposing to extend the compliance dates for farms?

An overwhelming segment of the continental United States was affected by flooding during the spring and summer of 2011. Other areas were impacted by devastating fires. Many counties in many states were declared disaster areas by either the federal or state government or both. As a result, the Agency believes that because of their nature, farms were disproportionately affected and need additional time to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.

What are the proposed compliance dates for farms?

<i>A farm starting operation...</i>	<i>Must...</i>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than May 10, 2013
After August 16, 2002 through May 10, 2013	Prepare and implement an SPCC Plan no later than May 10, 2013
After May 10, 2013	Prepare and implement an SPCC Plan <i>before</i> beginning operations

For More Information

Read the SPCC rule proposed rule:

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

Review docket documents for the SPCC rule proposed rule:

<http://www.regulations.gov>

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