

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. CRAWFORD OF ARKANSAS**

At the end of subtitle C of title XII, add the following:

1 **SEC. 12317. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.**
2

3 (a) IN GENERAL.—The Administrator, in implementing the Spill Prevention, Control, and Counter-
4 measure rule with respect to any farm, shall—
5

6 (1) require certification of compliance with such
7 rule by—

8 (A) a professional engineer for a farm
9 with—

10 (i) an individual tank with an above-
11 ground storage capacity greater than
12 10,000 gallons;

13 (ii) an aggregate aboveground storage
14 capacity greater than or equal to 42,000
15 gallons; or

16 (iii) a history that includes a spill, as
17 determined by the Administrator; or

1 (B) the owner or operator of the farm (via
2 self-certification) for a farm with—

3 (i) an aggregate aboveground storage
4 capacity greater than 10,000 gallons but
5 less than 42,000 gallons; and

6 (ii) no history of spills, as determined
7 by the Administrator; and

8 (2) exempt from all requirements of such rule
9 any farm—

10 (A) with an aggregate aboveground storage
11 capacity of less than or equal to 10,000 gallons;
12 and

13 (B) no history of spills, as determined by
14 the Administrator.

15 (b) CALCULATION OF AGGREGATE ABOVEGROUND
16 STORAGE CAPACITY.—For the purposes of subsection (a),
17 the aggregate aboveground storage capacity of a farm ex-
18 cludes—

19 (1) all containers on separate parcels that have
20 a capacity that is less than 1,320 gallons; and

21 (2) all storage containers holding animal feed
22 ingredients approved for use in livestock feed by the
23 Food and Drug Administration.

24 (c) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) FARM.—The term “farm” has the meaning
5 given such term in section 112.2 of title 40, Code
6 of Federal Regulations.

7 (3) GALLON.—The term “gallon” refers to a
8 United States liquid gallon.

9 (4) HISTORY OF SPILLS.—The term “history of
10 spills” has the meaning used to describe the term
11 “reportable discharge history” in section 112.7(k)(1)
12 of title 40, Code of Federal Regulations (or suc-
13 cessor regulations).

14 (5) SPILL PREVENTION, CONTROL, AND COUN-
15 TERMEASURE RULE.—The term “Spill Prevention,
16 Control, and Countermeasure rule” means the regu-
17 lation promulgated by the Environmental Protection
18 Agency under part 112 of title 40, Code of Federal
19 Regulations.

