AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. CRAWFORD OF ARKANSAS

At the end of title I, add the following:

SEC. 153. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) In general.—The Administrator, in implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, shall—

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

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

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

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

(B) the owner or operator of the farm (via self-certification) for a farm with—
(i) an aggregate aboveground storage capacity greater than 10,000 gallons but less than 42,000 gallons; and

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

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

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

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

(b) Calculation of Storage Capacity.—For purposes of subsection (a)—

(1) the calculation of the aggregate storage capacity of a farm shall not include any container on a separate parcel with a capacity that is less than 1,320 gallons; and

(2) the aggregate aboveground storage capacity of a farm and the aboveground storage capacity of an individual tank on a farm excludes all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.
(c) DEFINITIONS.—In this section, the following terms apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

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

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

(4) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “Spill Prevention, Control, and Countermeasure rule” means the regulation promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.