

**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:

1 **SEC. 153. APPLICABILITY OF SPILL PREVENTION, CON-**
2 **TROL, AND COUNTERMEASURE RULE.**

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

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

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

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

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

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

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

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

13 (b) CALCULATION OF STORAGE CAPACITY.—For pur-
14 poses of subsection (a)—

15 (1) the calculation of the aggregate storage ca-
16 pacity of a farm shall not include any container on
17 a separate parcel with a capacity that is less than
18 1,320 gallons; and

19 (2) the aggregate aboveground storage capacity
20 of a farm and the aboveground storage capacity of
21 an individual tank on a farm excludes all containers
22 holding animal feed ingredients approved for use in
23 livestock feed by the Commissioner of Food and
24 Drugs.

1 (c) DEFINITIONS.—In this section, the following
2 terms apply:

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

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

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

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

