



THE ADMINISTRATIVE WATCH

ADMINISTRATIVE WATCH ADDRESSES ENVIRONMENTAL, HEALTH & SAFETY ISSUES

BCCZ

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A PROFESSIONAL CORPORATION

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SPCC Proposed One-Year Extensions Hit The Press Today!

In today's Federal Register, the U.S. Environmental Protection Agency ("EPA") finally responded to the pleas of the regulated community and proposed one-year extensions to the Spill Prevention, Control and Countermeasure ("SPCC") Plan preparation date of August 17, 2004 and the SPCC Plan implementation date of February 18, 2005. See 69 Fed. Reg. 34014 (June 17, 2004). If adopted as proposed, you will have until August 17, 2005 to revise your SPCC Plan(s) to comply with the rule changes promulgated by EPA on July 17, 2002 (67 Fed. Reg. 47042), and you will have until February 18, 2006 to implement the provisions in the newly completed plan.

In the interim, make sure that your facility is continuing to comply with the SPCC requirements at 40 C.F.R. Part 112 that were in effect prior to the July 17, 2002 rule changes. EPA is continuing to inspect facilities for compliance with these requirements. Further, we are aware of specific instances in which EPA Regional Office inspectors have cited facilities for failure to comply with portions of the July 17, 2002 rule changes, even though the effective dates of such changes have been extended.

EPA must receive written comments on today's proposal no later than July 7, 2004.

BCCZ has extensive experience with assisting clients in ensuring their SPCC Plans satisfy all of the regulatory requirements. BCCZ is currently assisting clients with understanding the most recent regulatory interpretations and ensuring these interpretations are adequately addressed in their changing SPCC Plans.

If you would like assistance in preparing comments on today's proposal or have any questions regarding the application of the July 17, 2002 SPCC rule amendments and subsequent revisions and interpretations to your operations, please do not hesitate to contact: Colleen Grace Donofrio in BCCZ's New Jersey Office at (856) 686-4608 or cdonofrio@bccz.com; or any of the BCCZ Pittsburgh Office Environmental, Health and Safety Services Group practitioners at (412) 394-5400.

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