

## Regulatory Report

### Environmental Protection Agency SPCC Rule Date Extension – January 2009

On January 29, 2009, the U.S. Environmental Protection Agency (EPA) announced that it will delay the effective date of the final rule that amends the Spill Prevention, Control, and Countermeasure (SPCC) regulations published in the *Federal Register* on December 5, 2008. The amendments will now become effective on April 4, 2009. This will allow an additional 60 days for the regulated public to comment on the new regulations and will also allow the new administration to interpret the comments. The White House had issued a memorandum titled “Regulatory Review” that formed the basis of the additional comment period.

The rules published in December 5, 2008, included several items listed below that may affect aviation.

- A new definition of “facility.”
- A new definition of “loading/unloading racks.”
- A new streamlined approach for smaller facilities.
- Amendment to the facility diagram requirement.
- Amendment to the integrity testing requirement.

The NATA published a complete analysis of the December 2008 rules that is available on the NATA SPCC Issue Page at:

<http://www.nata.aero/Issues/Default.aspx?IssueID=19&sectionid=828>

Included in this new analysis will be the implementation date of November 20, 2009. This is currently the date by which the new parts of the regulations must be integrated into a facility’s SPCC Plan and physical requirements must be installed. The aviation industry will have to wait to see if this date remains in place or if the EPA will make further changes. Additionally, changes to the December 2008 rules are also possible.

The NATA will continue to provide detailed information to its members regarding new EPA rules and regulations. Questions and comments can be directed to Eric Byer at [ebyer@nata.aero](mailto:ebyer@nata.aero).