

114TH CONGRESS
1ST SESSION

H. R. 3129

To direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2015

Mr. CRAWFORD (for himself, Mr. HENSARLING, Mr. CRAMER, Mr. POMPEO, Mr. DUNCAN of South Carolina, Mr. DESJARLAIS, Mr. MULLIN, Mr. ABRAHAM, Mr. HUELSKAMP, Mr. JONES, Mr. KLINE, and Mr. LATTA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Farmers Undertake
5 Environmental Land Stewardship Act” or the “FUELS
6 Act”.

1 **SEC. 2. APPLICABILITY OF SPILL PREVENTION, CONTROL,**
2 **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—

20 (i) an aggregate aboveground storage
21 capacity greater than 10,000 gallons but
22 less than 42,000 gallons; and

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

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

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

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

6 (b) CALCULATION OF AGGREGATE ABOVEGROUND
7 STORAGE CAPACITY.—For the purposes of subsection (a),
8 the aggregate aboveground storage capacity of a farm ex-
9 cludes all containers on separate parcels that have a ca-
10 pacity that is less than 1,320 gallons.

11 **SEC. 3. DEFINITIONS.**

12 In this Act, the following terms apply:

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

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

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

21 (4) SPILL PREVENTION, CONTROL, AND COUN-
22 TERMEASURE RULE.—The term “Spill Prevention,
23 Control, and Countermeasure rule” means the regu-
24 lation promulgated by the Environmental Protection

- 1 Agency under part 112 of title 40, Code of Federal
- 2 Regulations.

