

Congress of the United States
Washington, DC 20515

July 27, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Dear Administrator Jackson,

We are writing you to express our concerns with the implementation of the Oil Spill Prevention, Control and Countermeasure (SPCC) rule for farmers and ranchers.

As you know, the SPCC regulations would apply to any facility with an above-ground oil storage capacity of at least 1,320 gallons in containers holding more than 55 gallons. We are concerned with current circumstances that we feel are not conducive to effective compliance, or achieving the goal of SPCC regulations.

In order to comply with these guidelines, many farmers and ranchers will need to undertake expensive improvements in infrastructure and must hire engineers to meet specific criteria. At this time, most agriculture producers are hard-pressed to procure the services of Professional Engineers (PEs). Many producers have reported that they are unable to find PEs willing to work on farms. Additionally, some states do not have a single qualified PE registered to provide SPCC consultation. The scarce availability of engineers calls into question the viability of achieving the goal of full compliance by November 2011.

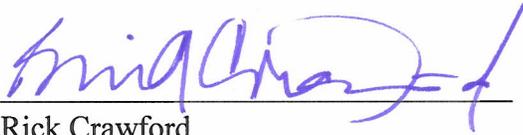
As you have travelled to farms and rural communities in the Mid-south and Midwest, you have seen first-hand the hardship facing farmers due to the devastation wrought by floods and severe weather. Farmers and ranchers are dealing with crop losses to the tune of billions of dollars and have been working around-the-clock to clean up the damage and preserve what little crops they have left. At this time, it is simply not within the means of many farmers to deal with losses while allocating time and money towards complying with SPCC regulations.

Recently, the EPA and the U.S. Army Corps of Engineers released draft guidance that drastically expands the agencies' authority in terms of the waters and wetlands considered "adjacent" to jurisdictional "waters of the United States" under the Clean Water Act. Many farmers and ranchers are worried that this guidance will force compliance with the SPCC, without the necessary time to do so. We believe that producers want to be in compliance, but the delay of assistance documentation has severely constrained their ability to make the necessary preparations.

In addition, the EPA has yet to provide clarification regarding who is responsible for maintaining the plan, as many farms are operated by those who do not own the land. Many farmers and ranchers are also unsure of how the EPA will enforce the rule.

Before moving forward, we ask that you ensure a process free of confusion and overly burdensome rules that might disincentivize SPCC compliance. By nature of occupation, family farmers are already careful stewards of land and water. No one has more at stake than those who work on the ground from which they derive their livelihood. We respectfully request that you reconsider the SPCC implementation deadline, continue to dialogue with the agriculture community and its stakeholders, and ensure that the rule is not overly burdensome or confusing. We believe this would help avoid unintended consequences. We appreciate your attention to this important matter.

Sincerely,



Rick Crawford
Member of Congress



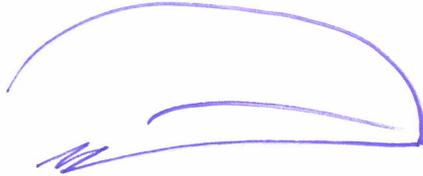
Stephen Fincher
Member of Congress



Steve Womack
Member of Congress



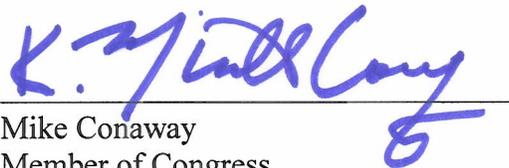
John Carter
Member of Congress



Scott DesJarlais
Member of Congress



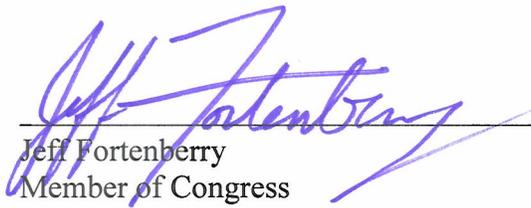
Steven Palazzo
Member of Congress



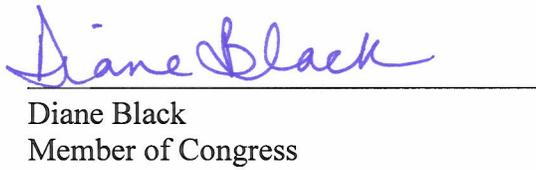
Mike Conaway
Member of Congress

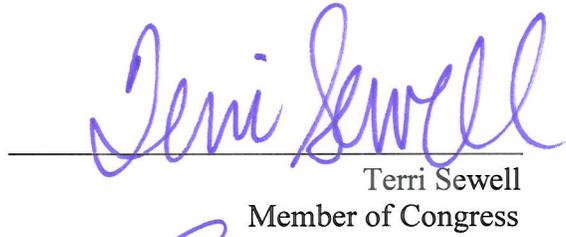


Brett Guthrie
Member of Congress

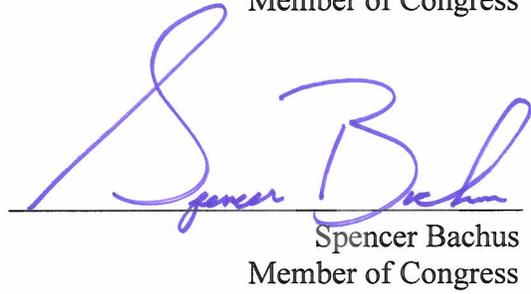

Jeff Fortenberry
Member of Congress

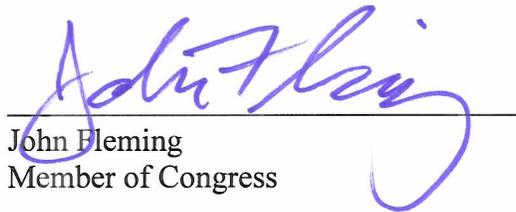

Walter Jones
Member of Congress


Diane Black
Member of Congress


Terri Sewell
Member of Congress


Phil Roe
Member of Congress


Spencer Bachus
Member of Congress


John Fleming
Member of Congress


Marsha Blackburn
Member of Congress


Vicky Hartzler
Member of Congress


Cory Gardner
Member of Congress


Steve King
Member of Congress


Louie Gohmert
Member of Congress



Steve Austria
Member of Congress



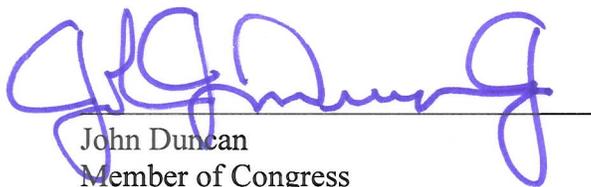
Tom Latham
Member of Congress



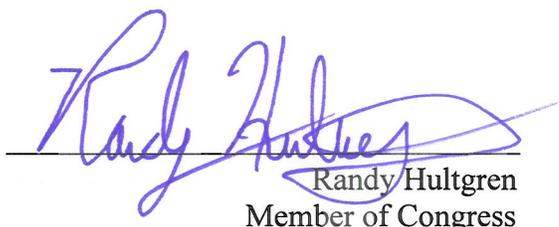
Mo Brooks
Member of Congress



Mike McIntyre
Member of Congress



John Duncan
Member of Congress



Randy Hultgren
Member of Congress



Candice Miller
Member of Congress



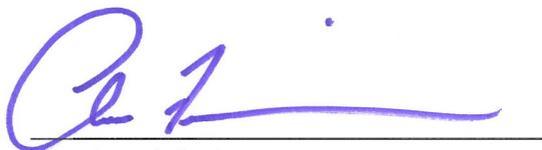
Lynn Jenkins
Member of Congress



Francisco "Quico" Canseco
Member of Congress



Todd Akin
Member of Congress



Charles Fleischmann
Member of Congress



Bill Flores
Member of Congress

Renee S. Ellmers

Renee Ellmers
Member of Congress

T. Johnson

Timothy Johnson
Member of Congress

Paul Gosar

Paul Gosar
Member of Congress

Austin Scott

Austin Scott
Member of Congress

Jim Costa

Jim Costa
Member of Congress

Jack Kingston

Jack Kingston
Member of Congress

Larry Kissell

Larry Kissell
Member of Congress

Glenn Thompson

Glenn Thompson
Member of Congress

Jeff Duncan

Jeff Duncan
Member of Congress

Lamar Smith

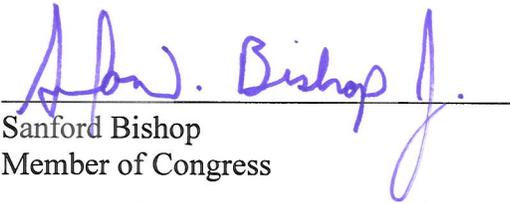
Lamar Smith
Member of Congress

Richard Hanna

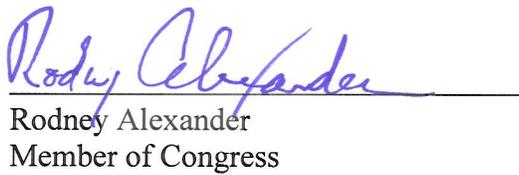
Richard Hanna
Member of Congress

Leonard L. Boswell

Leonard Boswell
Member of Congress

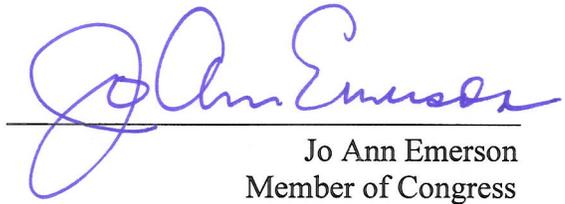

Sanford Bishop
Member of Congress

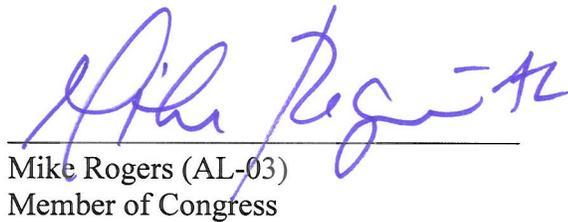

Sam Graves
Member of Congress


Rodney Alexander
Member of Congress

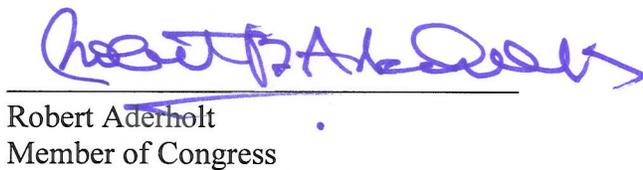

Pete Olson
Member of Congress


Robert Latta
Member of Congress


Jo Ann Emerson
Member of Congress

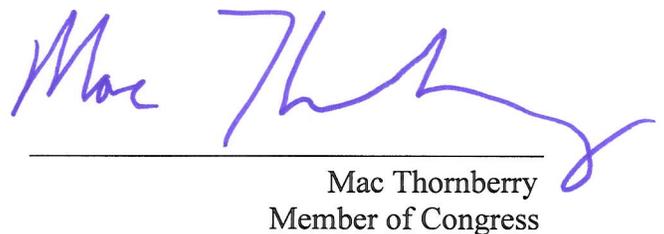

Mike Rogers (AL-03)
Member of Congress


Jo Bonner
Member of Congress


Robert Aderholt
Member of Congress

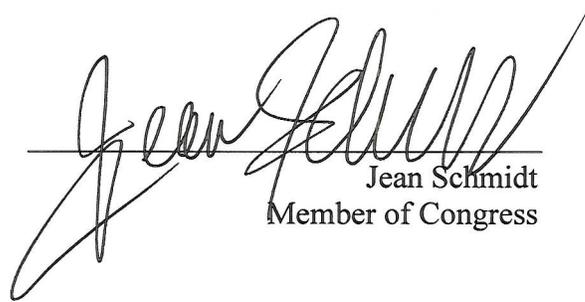

James Lankford
Member of Congress


Alan Nunnelee
Member of Congress


Mac Thornberry
Member of Congress



Kevin Brady
Member of Congress



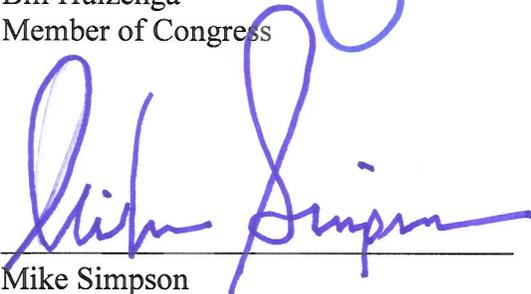
Jean Schmidt
Member of Congress



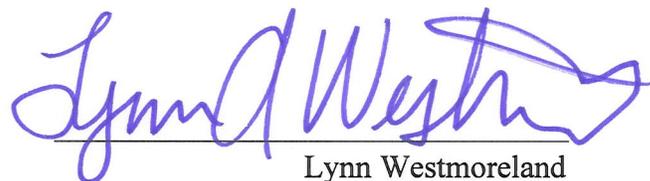
Bill Huizenga
Member of Congress



Marlin Stutzman
Member of Congress



Mike Simpson
Member of Congress



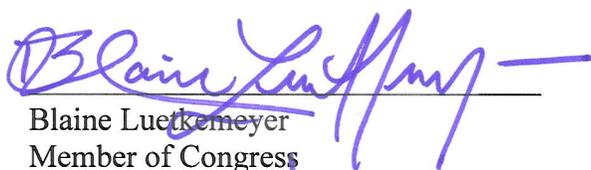
Lynn Westmoreland
Member of Congress



Bill Johnson
Member of Congress



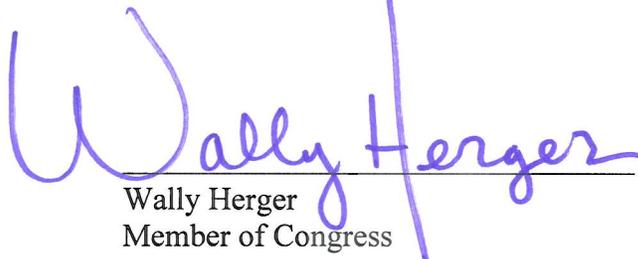
Reid Ribble
Member of Congress



Blaine Luetkemeyer
Member of Congress



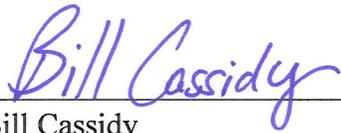
Ted Poe
Member of Congress



Wally Herger
Member of Congress



Michele Bachmann
Member of Congress



Bill Cassidy
Member of Congress



Billy Long
Member of Congress



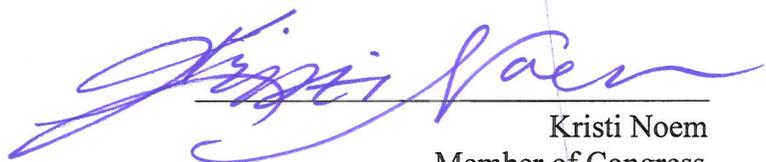
Tom Cole
Member of Congress



Tim Griffin
Member of Congress



Tim Huelskamp
Member of Congress



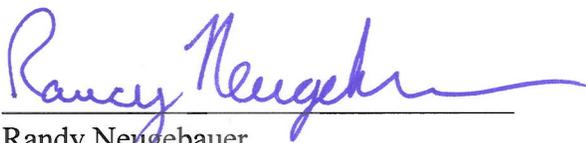
Kristi Noem
Member of Congress



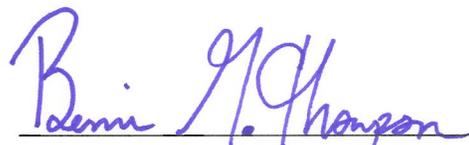
Morgan Griffith
Member of Congress



Mike Ross
Member of Congress



Randy Neugebauer
Member of Congress



Bennie G. Thompson
Member of Congress



Jeff Denham
Member of Congress



Cathy McMorris Rodgers
Member of Congress

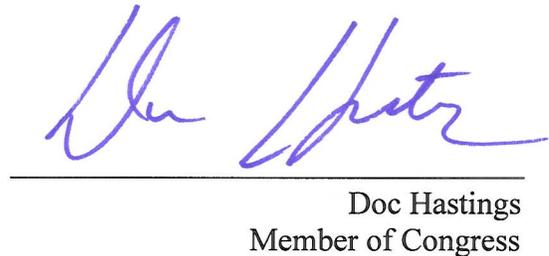

Martha Roby
Member of Congress

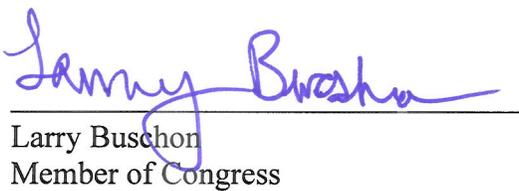

Todd Rokita
Member of Congress


Mike Pompeo
Member of Congress


Phil Gingrey
Member of Congress


Adrian Smith
Member of Congress

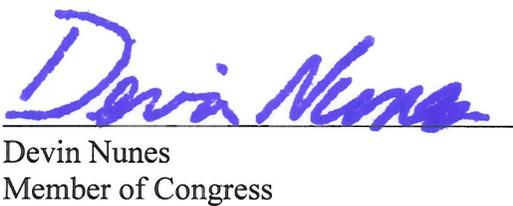

Doc Hastings
Member of Congress


Larry Buschon
Member of Congress

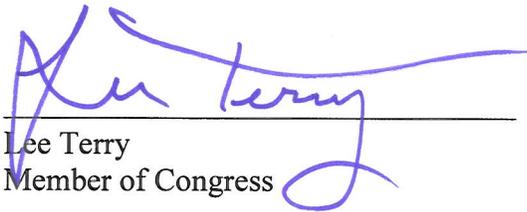

Scott Garrett
Member of Congress


Blake Farenthold
Member of Congress


Thomas Petri
Member of Congress


Devin Nunes
Member of Congress


Howard Coble
Member of Congress



Lee Terry
Member of Congress



Dan Burton
Member of Congress



Joe Barton
Member of Congress



Randy Forbes
Member of Congress



Dan Boren
Member of Congress



Bill Owens
Member of Congress



Ann Marie Buerkle
Member of Congress



Charles Boustany
Member of Congress



Steve Southerland
Member of Congress