

# Superfund, TRI, EPCRA, RMP & Oil Information Center Monthly Report

December 2006

Services in support of OSRTI, OIAA, and OEM

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## Availability

The complete text of all Monthly Reports, beginning with November 1991, may be accessed on the Internet at [www.epa.gov/superfund/contacts/infocenter](http://www.epa.gov/superfund/contacts/infocenter).

The Information Center maintains an **electronic mailing list** named callcenter\_oswer. Subscribers receive Information Center announcements and Monthly Reports via e-mail at no charge.

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## QUESTIONS AND ANSWERS

### TRI

*Q: If a TRI-covered facility transfers waste to a facility located in a foreign country, how does the facility complete the RCRA identification (ID) number and address fields on the Form R for transfers to off-site locations?*

A: The facility should enter NA in the RCRA ID field. For the address, the facility should enter the complete address of the receiving facility in the off-site address fields, the city in the city field, the foreign state or province in the county field, the postal code in the zip code field, and the foreign country code in the country field. The most commonly used foreign country codes are listed in Table IV of the Reporting Forms and Instructions. The facility does not need to enter information in the state field.

*Q: Facilities that use TRI-MEweb or the TRI-ME desktop software, submit their TRI forms through the Internet via the Central Data Exchange (CDX), and are located in a state participating in the TRI State Data Exchange will have their TRI forms sent simultaneously to EPA and their state officials via the Environmental Information Exchange Network. Which states are currently participating in the State Data Exchange?*

A: TRI-MEweb and the TRI-ME desktop software will inform users whether their state is participating in the State Data Exchange or whether they must submit their forms to their state separately (e.g., diskette, paper submission). As of June 2008, the following states are currently participating in the State Data Exchange: Colorado, Delaware, Hawaii, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, New

Jersey, Ohio, Oklahoma, Oregon, South Carolina, Texas, Utah, Virginia, and Washington.

If additional states join the State Data Exchange, TRI-MEweb and the desktop TRI-ME software will be updated accordingly, and facilities located in those states will also have their forms submitted automatically to their state officials via the Internet.

*Q: A facility that is submitting a Form R for the first time wants to submit a Form R for reporting year 2007 (RY07) and simultaneously submit multiple late submissions (RY04, RY05, RY06). How does the facility complete the TRI facility identification number (TRIFID) field on each form? If the facility writes "New Facility" on each form, will the facility receive multiple TRIFIDs?*

A: A first-time filer would enter "New Facility" in the TRIFID field on each form. If the facility is submitting via diskette or paper, all of the forms must be sent together in the same submission package. The TRI Data Processing Center will assign one TRIFID to the facility after processing the submissions.

## NEW PUBLICATIONS

### How to order...

**NTIS Publications** are available by calling (800) 553-6847 or (703) 605-6000, or writing NTIS, 5285 Port Royal Road, Springfield, VA 22161. Use the NTIS Order Number listed under the document.

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**Information Center Publications** are available by calling the Information Center at:  
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### CERCLA

**TITLE:** Revitalizing America's Mills: A Report on Brownfields Mill Projects

**PUBLICATION DATE:** November 2006

**EPA ORDER No.:** EPA560-R-06-001

**AVAILABILITY:** Internet

**URL:**

[http://www.epa.gov/brownfields/policy/Mill\\_Report\\_110306.pdf](http://www.epa.gov/brownfields/policy/Mill_Report_110306.pdf)

This document describes the challenges and opportunities of former mill sites and highlights a number of case studies within the Brownfields Grant Program. The report gives examples of successful mill redevelopment, identifies common challenges, describes innovative solutions, and suggests tools and resources available to assist in mill redevelopment.

### OIL POLLUTION PREVENTION

**TITLE:** Spill Prevention, Control, and Countermeasure (SPCC) Rule Amendments: Amended SPCC Requirements Finalized in December 2006

**PUBLICATION DATE:** December 2006

**EPA ORDER No.:** EPA550-F-06-009

**AVAILABILITY:** Internet

**URL:**

<http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetOverviewDec06.pdf>

This document summarizes the December 26, 2006, amendments to the SPCC rule. The amendments included an option for owners and operators of qualified facilities to self-certify their SPCC Plans, exempted motive power containers from the rule, exempted mobile refuelers from the specifically sized secondary containment requirements for bulk storage containers, provided an alternative to the secondary containment requirement for qualified oil-filled operational equipment. Additionally, EPA removed and reserved certain requirements for animal fats and vegetable oils and extended the compliance dates for farms.

**TITLE:** Spill Prevention, Control, and Countermeasure (SPCC) Rule Amendment: Option for Qualified Facilities that Store or Handle 10,000 Gallons or Less of Oil

**PUBLICATION DATE:** December 2006

**EPA ORDER No.:** EPA550-F-06-005

**AVAILABILITY:** Internet

**URL:**

<http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetQualFacDec06.pdf>

This document discusses the SPCC amendment that allows certain qualified facilities with smaller oil storage capacity to self-certify their SPCC Plans instead of having the Plans reviewed and certified by a Professional Engineer (PE). The guidance

also addresses the revised integrity testing and security requirements for qualified facilities.

**TITLE:** Oil Discharge Reporting Requirements: How to Report Oil Discharges to the National Response Center and EPA

**PUBLICATION DATE:** December 2006

**EPA ORDER No.:** EPA550-F-06-006

**AVAILABILITY:** Internet

**URL:**

<http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetSpillReportingDec06.pdf>

This document summarizes the oil discharge reporting requirements in 40 CFR Part 110 and §112.4. The guidance discusses who is subject to the reporting requirements, when to report, what information needs to be included in the report, and to whom to report.

**TITLE:** Spill Prevention, Control, and Countermeasure (SPCC) Rule Amendment: Streamlined Requirements for Mobile Refuelers

**PUBLICATION DATE:** December 2006

**EPA ORDER No.:** EPA550-F-06-007

**AVAILABILITY:** Internet

**URL:**

<http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetMobileRefuelersDec06.pdf>

This document discusses the SPCC amendment that exempts mobile refuelers from the specifically sized secondary containment requirements for bulk storage containers. The guidance also addresses the definition of a mobile refueler and clarifies that the general secondary containment requirements still apply to mobile refuelers.

**TITLE:** Spill Prevention, Control, and Countermeasure (SPCC) Rule Amendment: Option for Qualified Oil-Filled Operational Equipment

**PUBLICATION DATE:** December 2006

**EPA ORDER No.:** EPA550-F-06-008

**AVAILABILITY:** Internet

**URL:**

<http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetOilFilledEqDec06.pdf>

This document describes the SPCC amendment that provides an alternative to the secondary containment requirement for qualified oil-filled operational equipment, without requiring a determination of impracticability. The document reviews what equipment is eligible to use the alternative and explains the requirements for the associated oil spill contingency plan, written commitment of resources, and inspection or monitoring program.

**TITLE:** Spill Prevention, Control, and Countermeasure (SPCC) Rule Amendment: Information for Farms about the December 2006 Revisions to SPCC Requirements

**PUBLICATION DATE:** December 2006

**EPA ORDER No.:** EPA550-F-06-010

**AVAILABILITY:** Internet

**URL:**

<http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetFarmsDec06.pdf>

This document describes how the SPCC amendments apply to farms, including the option for qualified facilities to self-certify their SPCC Plans and the alternative to the secondary containment requirement for qualified oil-filled operational equipment. The guidance also addresses the extension of the compliance dates for farms.

# FEDERAL REGISTERS

## Availability

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## Electronic Availability

EPA *Federal Registers* from October 1994 to the present are accessible via the Internet at: [www.epa.gov/fedrgstr](http://www.epa.gov/fedrgstr)

## FINAL RULES

### CERCLA

#### **“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List” December 4, 2006 (71 FR 70318)**

EPA announced the deletion of portions of the Ellsworth Air Force Base Superfund Site from the National Priorities List (NPL). The effective date of this rulemaking is December 4, 2006.

#### **“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update” December 28, 2006 (71 FR 78094)**

EPA announced the deletion of the Brio Refining, Inc., Superfund Site from the NPL. The effective date of this rulemaking is December 28, 2006.

### TRI

#### **“Toxics Release Inventory Burden Reduction Final Rule” December 22, 2006 (71 FR 76932)**

EPA published a final rule to reduce the burden associated with the TRI reporting requirements. The final rule provides burden reduction by expanding the eligibility for the Form A for non-persistent bioaccumulative toxic (PBT) chemicals and

by allowing limited use of the Form A for PBT chemicals except for dioxins and dioxin-like compounds. The effective date of this rulemaking is January 22, 2007. The first reports with the revised reporting requirements will be due on or before July 1, 2007, for reporting year 2006.

### OIL POLLUTION PREVENTION

#### **“Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Plan Requirements—Amendments” December 26, 2006 (71 FR 77266)**

EPA published finalized amendments to the SPCC Rule to streamline the regulatory requirements for certain qualified facilities. EPA announced an option for owners and operators of facilities to self-certify their SPCC Plans; provided an alternative to the secondary containment requirement for oil-filled operational equipment without requiring a determination of impracticability; defined and provided an exemption for motive power containers; and exempted mobile refuelers from the specifically sized secondary containment requirements for bulk storage containers. In addition, the agency also removed and reserved certain requirements for animal fats and vegetable oils and extended the compliance dates for farms until the Agency promulgates a rule specifically addressing how farms should be regulated under the SPCC Rule. The effective date of this rulemaking is February 26, 2007.

**PROPOSED RULES****OIL POLLUTION PREVENTION****“Oil Pollution Prevention; Non-Transportation Related Onshore Facilities”  
December 26, 2006 (71 FR 77357)**

EPA proposed to extend the dates by which facilities must prepare, amend, and implement SPCC Plans. Comments must be received by January 25, 2007.

**CROSS-PROGRAM****“Fall 2006 Regulatory Agenda”  
December 11, 2006 (71 FR 73848)**

EPA published the Semiannual Regulatory Agenda to update the public about regulations and major policies currently under development, reviews of existing regulations and major policies, and regulations and major policies completed or canceled since the last Agenda.

**NOTICES****CERCLA****“Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or Superfund, Section 128(a); Notice of Grant Funding Guidance for State and Tribal Response Programs”  
December 12, 2006 (71 FR 74525)**

EPA announced that it will accept requests from December 15, 2006, through February 15, 2007, for grants to supplement State and Tribal Response Programs. This notice provided guidance on eligibility for funding, use of funding, the process for awarding funding, and the terms and reporting requirements under these grants.

**“Public Health Assessments and Health Consultations Completed July 2006 - September 2006”  
December 14, 2006 (71 FR 75254)**

EPA announced sites for which the Agency for Toxic Substances and Disease Registry has completed public health assessments and health consultations during the period from July 2006 through September 2006. This list includes sites that are on or proposed for inclusion on the NPL as well as sites for which assessments were prepared in response to requests from the public.

**TRI****“Toxics Release Inventory--Decision To Maintain Existing Reporting Frequency”  
December 22, 2006 (71 FR 77019)**

EPA announced its decision to maintain the annual reporting requirement for the TRI program.

**SETTLEMENTS AND CONSENT**

“Proposed Settlement; The Marsh Valve Superfund Site”  
December 4, 2006 (71 FR 70764)

“Proposed Settlement; Constitution Road Drum Superfund Site”  
December 8, 2006 (71 FR 71166)

“Proposed Settlement; Jehl Cooperage Superfund Site”  
December 8, 2006 (71 FR 71166)

“Proposed Settlement; Pittsburgh Metal and Equipment Superfund Site”  
December 8, 2006 (71 FR 71167)

“Consent Decree; *United States v. L.A.D. General Contractors, et al.*”  
December 14, 2006 (71 FR 75272)

“Consent Decree; *United States v. McCann Resources, Inc. and Mark W. McCann*”  
December 14, 2006 (71 FR 75272)

“Consent Decree; *United States v. Blue Tee Corp.*”  
December 21, 2006 (71 FR 76688)

“Consent Decree; *United States v. State of Washington Dept. of Transportation and Southgate Development Co., Inc.*”  
December 21, 2006 (71 FR 76688)

“Proposed Settlement; Fort Ord Superfund Site”  
December 29, 2006 (71 FR 78436)

“Consent Decree; *United States v. American Cyanamid, et al.*”  
December 29, 2006 (71 FR 78465)

“Consent Decree; *United States v. Ashland Inc. et. al.*”  
December 29, 2006 (71 FR 78466)

“Consent Decree; *United States v. Cook Development Corporation, Birch Creek Construction, Inc.*”  
December 29, 2006 (71 FR 78466)

“Consent Decree; *United States and California Department of Toxic Substances Control v. Union Pacific Railroad Co.*”  
December 29, 2006 (71 FR 78466)