



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 8 2012

Mr. Ford West
President
The Fertilizer Institute
425 Third Street, SW, Suite 950
Washington, DC 20024

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Dear Mr. West:

The EPA Office of Emergency Management (OEM) is pleased to have worked with The Fertilizer Institute (TFI) on its *mySPCC* guidance materials, which includes an on-line tool that gives agricultural stakeholders the ability to create a self-certified Spill Prevention, Control and Countermeasure (SPCC) Plan. OEM appreciates TFI's decision to involve EPA in the development of these materials and their distribution to members of the public and regulated community. We reviewed the *mySPCC* guidance materials, provided comments regarding the requirements of the SPCC Program and worked with TFI to address our comments.

While the EPA regulations described in the *mySPCC* guidance materials outline legally binding requirements, the discussion and advice contained in the *mySPCC* guidance materials do not replace the legal requirements. Users of the *mySPCC* guidance materials should also recognize that their approaches for compliance may need to differ from those described in the *mySPCC* tool to account for any site-specific circumstances present at their facility. OEM acknowledges that TFI has made every effort to ensure the accuracy of the discussion in these materials; however, the obligations of the regulated community are ultimately determined by statutes, regulations, or other legally binding requirements. Therefore, in the event of a conflict between the *mySPCC* guidance materials and such requirements, users should follow the legal requirements and may also want to consult with counsel. To resolve any questions about the requirements of the SPCC Program, users should refer to the EPA's regulations. Persons with questions about the *mySPCC* materials should contact TFI, who is the author of these materials. For questions about EPA's SPCC regulations, persons may contact EPA's Oil Information Center at (800) 424-9346 for more information.

The TFI *mySPCC* materials provide practical advice, insights, and guidelines for clearer understanding of the SPCC Program and its implementation, particularly as applied to certain facilities in the agriculture industry. OEM believes that these materials outline an approach to compliance that will be very helpful to many agriculture facilities covered by SPCC.

Sincerely,

A handwritten signature in black ink that reads "L. Stanton" followed by a horizontal line and the word "for".

Lawrence M. Stanton, Director
Office of Emergency Management