

112TH CONGRESS
1ST SESSION

S. 104

To require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. JOHANNIS (for himself, Mr. SCHUMER, Mr. GRASSLEY, Mr. CRAPO, Mr. RISCH, Mr. COBURN, Mrs. GILLIBRAND, Mr. MORAN, Ms. KLOBUCHAR, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

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. REQUIREMENT.**

4 (a) IN GENERAL.—Not later than 30 days after the
5 date of enactment of this Act, the Administrator of the
6 Environmental Protection Agency shall finalize the pro-

1 posed rule entitled “Oil Pollution Prevention; Spill Preven-
2 tion, Control, and Countermeasure Rule Requirements—
3 Amendments” (74 Fed. Reg. 2461 (January 15, 2009))
4 to exempt certain milk containers and associated piping
5 and appurtenance from the Spill Prevention, Control, and
6 Countermeasure program.

7 (b) FORBEARANCE.—Until the effective date of the
8 rule finalized under subsection (a), the Administrator of
9 the Environmental Protection Agency may not take regu-
10 latory action against dairy and dairy product producers,
11 processors, handlers, and distributors under the oil pollu-
12 tion prevention regulation in part 112 of title 40, Code
13 of Federal Regulations, related to the exemptions in the
14 proposed rule described in subsection (a).

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