



Indiana Mineral Aggregates Association

The Source Report

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June 2005

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www.aglime.org



Presidential Overburden

Joe Mayfield
IMA A President

“MAKING A DIFFERENCE”

Making a difference takes effort. In our busy lives, that is news we could do without. But If you are one of those persons who would like to hear; “He or she helped us make a difference and look at what we have now accomplished”, then IMA A has a deal for you!

In June alone, we have 3 major opportunities for you to practice making a difference! June 8-10 is the IMA A Legislative Fly-In in Washington D.C. If you are not going, you can still help. Call Robert with your issues, or tell those who are going what they are. Information is power, and power is the name of the game in Washington.

June 21-23 is our Teacher’s Workshop. Call to see if you can help, and for sure come to the BBQ in the evening of the 22nd. Hey, it is free food and great fun! The teachers really appreciate our company. And June 12-13 is the 4-State Golf Challenge. Ask the Association if there is a need for help. It is best if you can golf however. IMA A needs its members to participate, and we love the company. So how about getting involved? You can make a difference!

Joe Mayfield, President



IMA A & APA I

Summer Meeting
July 29 - 31, 2005

Cincinnati Marriott

Northeast

Mason, OH

*Are you
registered?*

SPCC UPDATE

Below is an update and information from a recent meeting with EPA's Oil Program Associate Director Dave Evans. Please take note of the timetable in the "Planned Path Forward".

EPA's Planned Path Forward

EPA laid out their timetable for release of the guidance and rulemaking and is aware of the need to expedite the development of guidance, the rulemaking process, the need to short circuit the internal review process, the impending deadlines (February 17, 2006) and the 6-month need for review and revision of plans.

May/June/July 2005 - Guidance (titled "SPCC Guidance for Regional Inspectors") is in draft form and going through internal headquarters review. The regions will review it before it goes final. *Because of the timing and need to issue the final guidance by August 2005, there will not be any review by stakeholders.* There will be initial training (1½ -days) for inspectors on this guidance with an emphasis on policy nuances of the rule. *Industry will not be allowed to attend these sessions.* The guidance will consist of 80/90 pages of guidance and 50/60 pages of 180 questions and answers.

August 2005 - Final Guidance will be released to regional inspectors, and this guidance will also be posted on EPA's website. The guidance is to be considered a living document with updates, additions and changes expected by EPA. *Industry will not have a chance to review the guidance before it goes to the inspectors.* Guidance will be developed on integrity testing and a definition that would define what "meets" the regulations. There will be one common compliance checklist for all regions included in the guidance and it will discuss in detail secondary containment, environmental equivalence and impracticability. EPA Headquarters will direct the regions to use this checklist.

Following release of the guidance, EPA will conduct a 2-day training SPCC/FRP (Facility Response Plan) session for the inspectors on the final guidance and industry may be allowed to attend and/or participate in one/some of these sessions. Concurrent with the guidance, EPA will propose rules addressing oil-filled electrical, operational, & manufacturing (including process vessels) equipment and certain small facilities. The Small Facility proposed rule would apply to small facilities, not just small businesses. This is necessary to be able to go final by February 2006.

Early Fall 2005 - 2-day training on the guidance for inspectors, and industry may able to attend one/some of these sessions.

February 2006 - Rulemakings on oil-filled electrical, operational, & manufacturing (including process vessels) equipment and certain small facilities will be issued final.

June 2006 - EPA will propose a "fine-tuning" rulemaking to further clarify certain SPCC rule requirements addressed in the Guidance such as transfer areas, a definition of loading rack, and motive power. This will fix the rule once for all. The scope of this rulemaking has not yet been determined.

June 2007 - Above proposed June 2006 rulemaking will go final.

It is clear that EPA is not planning on extending the current compliance dates of February 17, 2006 (plan review/amendment) and August 18, 2006 (amendment implementation). When the rulemaking schedule of June 2007 was pointed out, EPA's response was in effect that the rulemaking would only "fine tune" the regulation based on the guidance document which would be out in plenty of time in EPA's view (August 2005) to allow meeting the 2006 dates. EPA stated that the Guidance must be issued final in August because they intend to stay with their original timetable from the July 2002 rule that the regulated community needs 6 months to comply with new rule requirements (i.e., guidance effective August, 2005, plan revisions, February, 2006, and implementation August, 2006).

Other outstanding issues

- Transfer Areas
- Piping Outside Containment (e.g. Flow line Maintenance Programs and through dike walls)
- Motive Power
- Recovered oil storage containers associated with Oil Water Separators
- Tank Integrity Testing
- Secondary Containment Requirements
- Implementation of the Settlement Agreement Language

These issues will be addressed in the guidance except changes to motive power that will have to go through a more detailed rulemaking process. EPA may include motive power in the August 2005 proposed rule on operational equipment and certain facilities. EPA thought that the issue around motive power could be done quickly, but the work group formed to review the issues thought it could only be fixed with a more rigorous and longer rulemaking process

Achieving Consistency Among Regions

EPA's message was that they plan on continuing to be very engaged in making sure the Guidance and other clarification documentation is adopted and used by individual EPA regions. There has been concern expressed by industry that EPA Headquarters was not going to aggressively pursue getting the local inspectors trained and instructed to use the proper information.

Dave Evans and Mark Howard of the EPA Oil Program Office want to hear and will address all issues of inconsistencies between regions. Please contact me with case-specific examples of inconsistencies.

John Hayden, NSSGA, 703/526-1065



Teachers Wanted



Teachers' Workshop

Rocks and Minerals in Modern Society

June 21-23, 2005

CONNER PRAIRIE LIVING HISTORY MUSEUM

It's not too late to sponsor a teacher for this year's Teachers' Workshop. What a great way to enhance your relationship with your local community. If you need information, contact the IMAA office today. Don't miss out on this opportunity to demonstrate your interest in the welfare of your school community. It's also a terrific way to meet, visit, and share information with teachers one-on-one at the event's barbeque. The registration fee is only \$55 to sponsor a teacher, but what a great return in goodwill. Make your call today!

TEACHERS' WORKSHOP

IT'S A BARGAIN!

New Website



www.indmaa.org

Since our March newsletter, we are happy to report that our new and improved website is up and running quite nicely. We hope that you will find the information useful and arranged in a manner that is easy to navigate.

We are continually striving to improve the processes that affect you and your business and in essence, make your work life easier. If you are more inclined to look to a website for information before making a phone call, then this is right up your alley. Our goal is to keep up-to-the minute information on our site that will affect the decisions you make daily. Meeting notices and locations are listed in our Calendar of Events. Previous newsletters are available for retrieval. In our Links section, members are listed upon request. Industry related links are also listed for your convenience. If you are not listed and would like to be, please call the Association office.

Our Members Section (for paying members only) includes the New Environmental Compliance Manual in its' entirety. This will prove to be a valuable tool that includes information and links for current environmental regulations. The ESC Guiding Principles are also listed in the Members Only section.

Our HOT TOPICS (front page) section is the place where you will find relevant topics that will affect you daily. It will also include current meetings information as well as registration forms that are downloadable and easily faxed to the Association office. We believe you will find this feature very helpful and convenient.

If you would like to receive your copy of The Source Report via email, please send an email to Lori to ensure you are placed on the distribution list. (lori@indmaa.org) Newsletters will be emailed in Adobe Acrobat Reader (free download at <http://adobe.com/products/acrobat/readstep2.html>) Copy this link and place into your browser and download for free. This will enable you to read the newsletter in pdf (portable document format).

MARK IT AS A "FAVORITE" IN YOUR BROWSER

<http://www.indmaa.org>

IMAA Calendar

June 8-10	IMAA Legislative Fly-In		Washington, D.C.
June 12-13	4-State Golf Challenge		Granville, OH
June 21-23	IMAA Teachers Workshop		Conner Prairie, Fishers, IN
July 4	Independence Day		IMAA Office Closed
July 28	TAC Committee	1:00 pm	Kings Island, OH
July 28	ESC Board of Directors	2:30 pm	Kings Island, OH
July 29	IMAA Board of Directors		Kings Island, OH
July 29-31	IMAA Summer Meeting with APAI		Kings Island, OH
August 18	Aglime Council	10:00 am	Association Office
September 14	IMAA PIE Golf Fundraiser		Eagle Creek Golf Course

**NSSGA
2005 Aglime Forum**

**August 22, 2005
Columbus, OH**

MINERAL SAMPLE BOXES

ORDER YOURS

TODAY!

\$2.00 each

Call Jane @

317.580.9100

