

practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff. For additional information about EPA's electronic public docket visit EPA Dockets online or see 67 FR 38102, May 31, 2002.

#### *B. How and To Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket identification number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA will not consider late comments.

1. *Electronically.* If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the party submitting the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs

further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket>, and follow the online instructions for submitting comments. To access EPA's electronic public docket from the EPA Internet Home Page, select "Information Sources," "Dockets," and "EPA Dockets." Once in the system, select "search," and then key in Docket ID No. OPA-2002-001. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

2. *E-mail.* Comments may be sent by electronic mail (e-mail) to [Superfund.Docket@epamail.epa.gov](mailto:Superfund.Docket@epamail.epa.gov). Make sure this electronic copy is in an ASCII format that does not use special characters or encryption. Cite the docket Number OPA-2002-001 in your electronic file. In contrast to EPA's

electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

3. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified above. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

4. *By Mail.* Send two (2) copies of your comments to: EPA Docket Center, U.S. Environmental Protection Agency Headquarters (EPA, HQ), Mail Code 5305T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. OPA-2002-001.

5. *By Hand Delivery or Courier.* Deliver your comments to: EPA Docket Center, EPA West Building, Room No. B-102, 1301 Constitution Ave., NW., Washington, DC 20004. Attention Docket ID No. OPA-2002-001. Such deliveries are only accepted during the Docket's normal hours of operation as identified above.

## **II. Entities Affected by This Rule**

Industry category	NAICS code
Crop and Animal Production .....	111-112
Crude Petroleum and Natural Gas Extraction .....	211111
Coal Mining, Non-Metallic Mineral Mining and Quarrying .....	2121/2123/213114/213116
Electric Power Generation, Transmission, and Distribution .....	2211
Heavy Construction .....	234
Petroleum and Coal Products Manufacturing .....	324
Other Manufacturing .....	31-33
Petroleum Bulk Stations and Terminals .....	42271
Automotive Rental and Leasing .....	5321
Heating Oil Dealers .....	454311
Transportation (including Pipelines), Warehousing, and Marinas .....	482-486/488112-48819/4883/48849/492-493/71393
Elementary and Secondary Schools, Colleges .....	6111-6113
Hospitals/Nursing and Residential Care Facilities .....	622-623

The list of potentially affected entities in the above table may not be exhaustive. Our aim is to provide a guide for readers regarding those entities that EPA is aware potentially could be affected by this action. However, this action may affect other entities not listed in the table. If you have questions regarding the applicability of this action to a particular entity, consult the person

listed in the preceding section entitled **FOR FURTHER INFORMATION CONTACT.**

### **III. Statutory Authority**

33 U.S.C. 1251 *et seq.*; 33 U.S.C. 2720; E.O. 12777 (October 18, 1991), 3 CFR, 1991 Comp., p. 351

### **IV. Background**

On July 17, 2002, at 67 FR 47042, EPA published final amendments to the Spill Prevention, Control, and

Countermeasure (SPCC) rule. The rule was effective August 16, 2002. The rule included dates in § 112.3(a) and (b), by which a facility would have time to amend its SPCC Plan and implement its amended Plan (note that for facilities becoming operational after August 16, 2002, the rule contains dates for the preparation and implementation of a Plan in compliance with the amended rule). In light of new information, we