

SPCC Enforcement: U.S. Environmental Protection Agency and Hayti, Missouri Biodiesel Facility Enter into Expedited Settlement Agreement



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The United States Environmental Protection Agency (“EPA”) and Natural Biodiesel Plant LLC (“NBP”) entered into a March 13th Expedited Settlement Agreement (“ESA”) addressing alleged violations of the Clean Water Act Spill Prevention Control and Countermeasure (“SPCC”) rules. See Docket No. CWA-07-2017-0029.

NBP is stated to own and operate a facility in Hayti, Missouri.

EPA conducted an inspection at the NBP facility. The agency allegedly determined that it was violating regulations implementing Section 311(g) of the Clean Water Act. The alleged SPCC violations include:

- Inadequate containment for loading area (not consistent with 112.7(c))
- Aboveground tanks are not subject to periodic integrity testing, such as hydrostatic, nondestructive methods, etc. (112.8(c)(6)).

The ESA assesses a civil penalty of \$850.

[A copy of the ESA can be downloaded here.](#)