

Montana purchases Farmtrac, SPCC rules clarified



This "Action Alert" icon will be displayed whenever action steps exist to help your voice be heard on topical issues. Dealers can expect to see alerts in all forms of NAEDA communications.

Manufacturer Relations		
ISSUE	ACTION SUMMARY	NAEDA'S POSITION
Farmtrac	Montana Tractors completed its purchase of Farmtrac, the North Carolina-based tractor company that went into receivership at the beginning of the year. The purchase price, reported at slightly more than \$14 million, includes all tractors, parts, and assembly plant, which is located near Tarboro in North Carolina. Montana's corporate headquarters are located in Springdale, Ark.	NAEDA has learned that Montana plans to schedule a meeting with Farmtrac dealers. At publication time, the date of that meeting was unknown. NAEDA will provide updates when available.
Warranty Claim Processing System	NAEDA, FEMA and FEWA-AIMRA have signed a legal agreement to initiate the launch of the Web-based Warranty Claim Processing System to process warranty claims and warranty registrations. When officially launched in January 2009, the system will allow users to electronically complete warranty registrations, file warranty claims and track the progress of claims as they are processed.	"The system will streamline the warranty process, improve the accuracy of claims filed and expedite the reimbursement of claims," according to a statement released by NAEDA, FEMA and FEWA-AIMRA. "The system also will feature updated warranty language and filing procedures to reduce or eliminate confusion about the warranty policies of participating manufacturers and distributors. We're eager to introduce this system to the industry."

Government Relations		
ISSUE	ACTION SUMMARY	NAEDA'S POSITION
Economic Stimulus Initiatives	At publication time, NAEDA was back in Washington in its continuing effort to gain support for an extension of the capital investment incentives in the Economic Stimulus Act (ESA) of 2008. The association is lobbying for a one-year extension of the 50 percent bonus depreciation and increased expensing levels in Sec. 179 before they expire on Dec. 31, 2008.	"Congress already has committed billions to prop up mortgage firms, insurance companies, and several banks and financial institutions," said Paul Kindinger, NAEDA president/CEO. "We are not asking for funding. We're asking for an extension of benefits that are in place already."
SPCC Rules Clarified	The EPA has issued amended requirements related to its Spill Prevention, Control, and Countermeasures (SPCC) rule. The amendments were finalized to clarify what is expected of all regulated facilities, including equipment dealerships.	NAEDA strongly encourages dealers to read the SPCC rule and recent amendments to the rule to determine compliance guidelines (see <i>NAEDA notes at right for additional details</i>).
USDA Transition Team	The USDA transition team named by President-elect Barack Obama is an interesting mix of bureaucrats, academics, campaign associates, and organizational representatives. The team will consider agency leadership that will support Obama's plan to eliminate wasteful spending. Agricultural spending, notably payments to farmers, is one of the targets.	NAEDA does not have a position but will closely watch congressional actions related to agricultural spending.
Animal Bill of Rights	The Animal Legal Defense Fund (ALDF) has gathered over a quarter of a million signatures to petition Congress for a so-called "Animal Bill of Rights." According to one watch source, "the petition is intended to demonstrate broad support for granting legal rights to animals and urges Congress to enact legislation that, inappropriately written, could devastate certain sectors of the already reeling American economy."	Included in the ALDF petition is the right "of farm animals to an environment that satisfies their basic physical and psychological needs." The effort may get some traction in a new administration.
Workforce Development	NAEDA is finishing up a <i>Best Practices Handbook</i> that outlines successful workforce development resources developed by its affiliated dealer associations. The handbook is designed to give a briefing of each program and includes the appropriate contact information for those wanting more information about a particular program. The handbook also will include some strategies associations can use to market their programs to their dealers.	NAEDA is developing the handbook to encourage associations to share resources relating to workforce development. In turn, NAEDA hopes this will save dealers time, money and effort when developing their own programs or materials. Upon completion, a copy of the handbook will be distributed to each association.

A companion reference is regularly updated in the Dealer Advocacy Center at www.naeda.com.

NAEDA notes

Who is subject to the SPCC rule?

The SPCC rule applies to owners or operators of non-transportation-related facilities that

- drill, produce, store, process, refine, transfer, distribute, use, or consume oil or oil products; and
- could reasonably be expected to discharge oil to U.S. navigable waters or adjoining shorelines.

Facilities are subject to the rule if they meet at least one of the following capacity thresholds:

- aboveground oil storage capacity greater than 1,320 gallons, or
- completely buried oil storage capacity greater than 42,000 gallons.

The following are exempt from the rule:

- containers with a storage capacity less than 55 gallons of oil;
- permanently closed containers;
- motive power containers;
- wastewater treatment facilities;
- hot-mix asphalt and hot-mix asphalt containers;
- residential heating oil containers;
- pesticide application equipment and related mix containers;
- produced water containers and any associated piping and appurtenances downstream of the container that meet certain criteria;
- completely buried storage tanks subject to all the technical requirements of the underground storage tank regulations;
- intra-facility gathering lines subject to U.S. Department of Transportation's pipeline regulations; and
- underground oil storage tanks at nuclear power generation facilities.

The EPA amendments also add flexibility for regulated facilities. For example, the revised rule, among other things, provides a plan template for certain qualified facilities to complete and self-certify.

Additional information is available at the following:

- SPCC rule amendment: <http://www.epa.gov/emergencies/spcc>
- Oil Pollution Prevention regulation (40 CFR part 112): <http://www.gpoaccess.gov/cfr>