

Oil Pollution Prevention Regulations- Spill Prevention Control and Countermeasure Rule



**South Dakota Chemical Industry Safety and
Compliance Workshops
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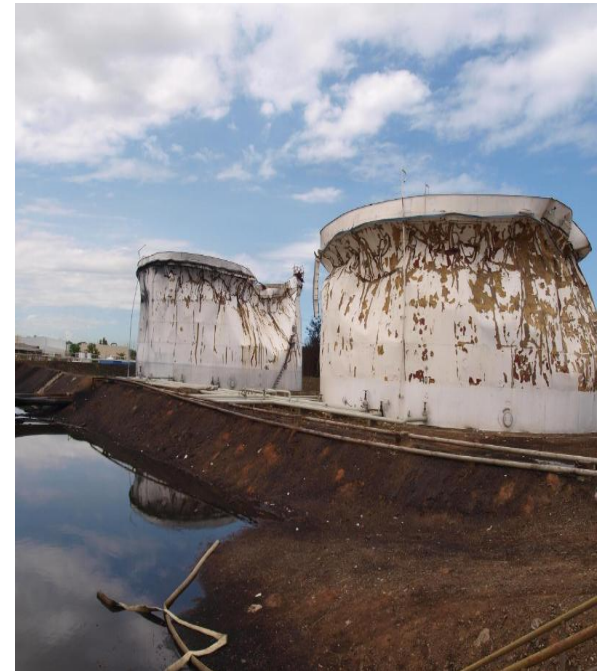
Oil Pollution Prevention Reg– 40 CFR 112

Spill Prevention Control and Countermeasure (SPCC)

Rule:

Requirements to help prevent oil discharges from reaching navigable waters or adjoining shorelines.

- Authority from the Clean Water Act
- EPA implements Rule nationwide (under 40 CFR 112)
- Effective date January 1974



What is the SPCC Rule?

Requires certain facilities develop and implement a ***site-specific SPCC Plan*** to address:

- Containment and procedures to **Prevent** oil discharges;
- Proactive **Control** measures to keep an oil discharge from entering navigable waters of the U.S. or adjoining shorelines (containment); and
- Effective **Countermeasures** to contain, clean up, and mitigate any oil discharge that affects navigable waters of the U.S. or adjoining shorelines (spill response measures).



SPCC→ Non-transportation facilities

- Drilling
- Producing
- Gathering
- Storing
- Processing
- Refining
- Transferring
- Distributing
- Using
- Consuming



Who is Regulated under SPCC?

SPCC applies to facilities which:

- Stores, transfers, uses, or consumes oil or oil products (such as diesel fuel, gasoline, lube oil, hydraulic oil, adjuvant oil, crop oil, vegetable oil, or animal fat) **and**
- Stores more than **1,320** US gallons in aboveground containers; or store more than **42,000** US gallons in completely buried oil storage containers **and**
 - (Farms-Store more that **2,500** US gallons in aboveground containers)
- Could reasonably be expected to discharge oil to waters of the US or adjoining shorelines, such as interstate waters, intrastate lakes, rivers, and streams.



Expectation of Oil Discharge

What is a “Reasonable Expectation of an Oil Discharge”?

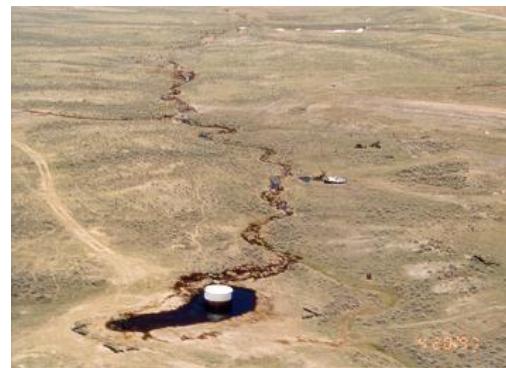
- Initial determination by the owner/operator based on geographical and location aspects of the production facility
- You may consider proximity to water, land contour, drainage
- Exclude manmade features, such as secondary containment dikes around tanks and impoundments, in determination

Keep in mind:

Oil floats

Adverse weather

Precipitation run off





Applicability

- Owner/operator makes the initial decision on applicability of SPCC regulations to the facility:
Does the facility meet the applicability criteria (volumes of oil, expectation to spill to waterway)?
- No requirement to submit SPCC Plan to EPA for approval.

EPA does not formally “approve” or “disapprove” SPCC Plan.
- Plan is required upon inspection.

Exemptions to the Rule

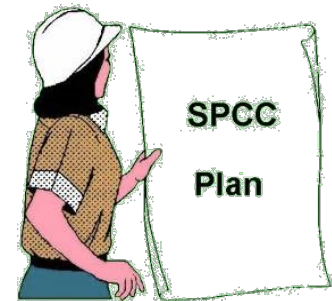
- Pesticide Application Equipment
 - Ground boom applicators, airblast sprayers, specialty aircraft that apply pesticides, related mix containers
- Motive Power Containers
- Hot-Mix Asphalt
- Residential heating oil containers at single-family residences
- Intra-facility Gathering Lines
- Milk and Milk Product Containers



SPCC Plan Requirements

SPCC regulations requires preparation and implementation of a written Plan to address:

- Operating procedures for routine handling of products to prevent a discharge of oil;
- Discharge or drainage control measures to prevent a discharge of oil;
- Countermeasures to contain, clean up, and mitigate an oil spill;
- Methods of disposal of recovered materials; and
- Contact list and phone numbers of company, contract response personnel, and National Response Center





Specific SPCC Plan Items

- Secondary Containment
- Facility Drainage
- Bulk Storage Containers
 - Inspections, Integrity Testing

Refer to Cross Reference Matrix on Thumb Drive

SPCC Guidance for Regional Inspectors:

<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spcc-guidance-regional-inspectors>



SPCC- Qualified Facilities

Are you a qualified facility? You can Self-Certify:

If the facility total aboveground oil storage capacity is 10,000 gallons or less...		
And...	And the facility has...	Then the facility is a:
<p>Within 3 years the facility has had no discharges to navigable waters or adjoining shorelines as described below:</p> <ul style="list-style-type: none">•A single discharge of oil greater than 1,000 gallons, or•Two discharges of oil each greater than 42 gallons within any 12-month period.	<p>No individual aboveground oil containers greater than 5,000 gallons;</p>	<p>Tier I Qualified Facility: Complete and self-certify Plan template (Appendix G to 40 CFR part 112) in lieu of a full PE-certified Plan or other self-certified SPCC Plan.</p>
	<p>Any individual aboveground oil container greater than 5,000 gallons;</p>	<p>Tier II Qualified Facility: Prepare a self-certified Plan in accordance with all applicable requirements of §112.7 and subparts B or C of the rule, in lieu of a PE-certified Plan.</p>

Otherwise-PE must certify the plan.



Reporting of Oil Spills

Report all oil discharges to navigable waters of the U.S. or adjoining shorelines to NRC at **1-800-424-8802**.

- NRC is the Federal government's centralized reporting center, which is staffed 24 hours a day by U.S. Coast Guard personnel.
- Any person in charge of a vessel or an onshore/offshore facility must notify NRC immediately after knowledge of the discharge.
- NRC relays information to EPA or U.S. Coast Guard depending on the location of the incident.

An On-Scene Coordinator evaluates the situation and decides if federal emergency response action is necessary.

Common Violations/Issues:

SPCC:

No plan

Inadequate cross reference

Inadequate facility diagram

Incomplete discharge predictions

No Secondary Containment for
rack/mobile portable containers

Inadequate secondary containment





SPCC & FRP: More Information

EPA's Oil Spill web page

<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations>

EPA Emergency Management web pages

www.epa.gov/emergency-response

HOTLINE: Superfund, TRI, EPCRA, RMP, and Oil Information Center

(800) 424-9346

<https://www.epa.gov/epcra/forms/contact-us-about-emergency-planning-and-community-right-know-act-epcra>



SPCC & FRP Contacts:

SPCC Inspectors/Enforcement:

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