

The Dell Group, Inc.

Creative Solutions for your compliance burdens

Spill Prevention Countermeasure and Control

Spill Prevention Countermeasure and Control (SPCC Plan) - for facilities with triggering quantities of oil or oily substances that must comply with the Clean Water Act. Final draft includes certification by a Professional Engineer as required by statutes. \$1,275.00 for most facilities

Spill Response Training – for non emergency personnel – 2 hours. \$500.00 plus \$12.00 per trainee

Spill Prevention Control and Countermeasure (SPCC)

The Spill Prevention Control and Countermeasure Regulations were first enacted in 1974 at 40 CFR Part 112. These regulations establish procedures, methods and equipment to prevent discharges of oil and to contain such discharges. In July 2002 the EPA amended the Oil Pollution Prevention regulations. This new rule addresses requirements for SPCC Plans and some provisions may also affect Facility Response Plans (FRPs).

Dates for SPCC Rule Compliance	
Facilities Operating:	Must:
Before 8/16/2002	Amend existing Plan by 2/17/06 and implement Plan by 8/18/2006
Between 8/16/2002 and 8/18/2006	Prepare and implement Plan by 8/18/2006
After 8/18/06	Prepare and implement Plan before starting operations

The goal of this regulation is to prevent oil discharges from reaching navigable waters and to ensure effective responses to oil discharges. The oil pollution regulation contains two major types of requirements: prevention requirements (SPCC rule) and Facility Response Plan (FRP) requirements. Required under the rule is an SPCC Plan that contains measures to prevent and control oil spills, including those resulting from human operational error or equipment failures.

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Is Your Facility Subject to These Regulations?

The SPCC rule applies to owners or operators of non-transportation-related facilities that drill, produce, gather, store, use, process, refine, transfer, distribute, or consume oil and oil products, such as:

- Industrial, commercial, agricultural, or public facilities using or storing oil;
- Loading racks, transfer hoses, loading arms and other equipment;
- Highway vehicles and railroad cars used to transport oil exclusively within the confines of a non-transportation related facility;
- Certain waste treatment facilities;
- Oil refining or storage facilities;
- Fixed onshore and offshore oil well drilling facilities, platforms, derricks, rigs and oil production structures;
- Mobile onshore and offshore oil well drilling platforms, barges, trucks or other mobile facilities in a fixed location; and
- Pipeline systems used to transport oil exclusively within the confines of a non-transportation-related facility.

A facility may be subject to SPCC rule if it has at least one of the following oil storage capacities (the shell capacity of the maximum volume must be considered and not the actual amount of products stored in the container):

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

A copy of the entire SPCC Plan must be maintained at the facility if the facility is normally attended for at least four hours per day. Otherwise, it must be kept at the nearest field office. The SPCC Plan must be available to EPA for on-site review and inspection during normal working hours.

Implementing the SPCC Plan

A SPCC Plan must be effectively implemented in order to be effective and typically requires:

- Continuing maintenance of spill containment devices and spill control equipment;

- Engineering controls to provide containment in the event of a failure of any container of 55 gallon or more;
- Continuing monitoring and inspection of oil storage facilities, and
- A five year review of all SPCC Plans.

SPCC training is also required. Facilities must ensure that all oil-handling employees are trained. In addition, discharge prevention briefings are required at least once a year.

Existing SPCC Plans

Facilities with SPCC Plans already in place should review the revised regulations to determine whether their plans need to be updated or amended to ensure compliance with the revised regulation. The new regulation provides for a flexible plan format, but *requires a cross-reference showing that all new regulatory requirements are met.*

Best Management Practice

In some cases facilities may no longer be required to have an SPCC Plan. If so, it is still a recommended **Best Management Practice (BMP)** for these facilities to develop and implement a plan and install and maintain equipment for preventing and cleaning up oil spills and releases to minimize environmental impacts and help ensure sound environmental management.

Facility Response Plan (FRP)

The February 2002 revisions to the SPCC rule may affect whether you need to prepare and maintain a Facility Response Plan (FRP) or how you calculate worst case discharge planning levels. If your facility transports or stores oil in vessels over water a FRP may be required.

Because SPCC regulations apply to such a diverse spectrum of industries and facilities, we suggest you call Creative Solutions for a free consultation at 1-800-259-8930 or contact us a info@dellgroup.com.