

*****Attention*****

Reading this Notice Could Prevent an Oil Spill

If you have 1320 gallons of oil, of any type, or 660 gallons in a single storage tank your facility IS subject to Spill Prevention Control and Countermeasure requirements.

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.**

How do I know if my facility is subject to these Regulations?

First you need to determine if you have the volumes of oil storage capacity cited above. Do you have a single tank over 660 gallons, or the aggregate storage of 1320 gallons of **oil**? (Transformers are included.) The definition of oil includes oil of any type, including animal and vegetable oils, and soluble oils. Some of the more common types of "oil" are; gasoline, diesel fuel, heating oil, crude oil, and mineral oil.

Are there any exceptions?

The threshold for oil held in **underground storage tanks is 42,000 gallons.**

Highway vehicles, railroad cars, pipelines and breakout storage tanks needed for the continuous operation of a pipeline are not covered by these regulations.

Can you give some examples of facilities that would be covered by SPCC?

Once the threshold of oil has been met examples of facilities covered by SPCC; including all equipment and components, may include but are not limited to:

- C Mobile and fixed onshore and offshore oil well drilling and production facilities;
- C Oil refining or storage facilities;
- C Industrial, commercial, agricultural, or public facilities which use, store, drill for, produce, gather, process refine or consume oil or oil products;
- C Waste treatment facilities;
- C Loading areas/racks, transfer hoses, loading arms and other equipment which are a part of a *non-transportation-related facility*;

- C Highway vehicles and railroad cars used to transport oil *exclusively within the confines* of a non-transportation-related facility; and
- C Pipeline systems used to transport oil *exclusively* within the confines of a non-transportation-related facility.

If my facility is subject, what do I need to do?

There are two basic requirements;

- 1) **provide a method of "secondary containment" for any releases of oil that may be reasonably expected to reach a waterway** (consider sewer pathways); and
- 2) **prepare and implement a written Spill Prevention Control and Countermeasure (SPCC) Plan.**

What is adequate secondary containment?

The regulations state that the volume of containment must be adequate to contain the volume of the largest tank plus have sufficient freeboard for a 100 year storm event. This is usually measured as 110% the volume of the largest tank. Dikes or other containment devices are also to be sufficiently impervious to contain spilled "oil". Currently, because federal guidance provides that spilled oil should be removed within 72 hours, "imperviousness" may be measured against this standard. Secondary containment may be provided for the whole facility, or for individual areas where storage or transfer of product occurs. Transfer areas should have sufficient containment capacity to hold the largest single compartment of the tank car or truck.

What are the requirements of a written SPCC Plan?

Essentially, the written plan is a description of all the things you have done at your facility to prevent a release of oil from occurring. This "description" should include:

- 1) facility operations, staffing, areas of oil storage and transfer, site security, spill history, and

documentation of employee spill training and briefings;

2) oil release scenarios that include possible volume of the spill and the direction of flow;

3) notification procedures including an **emergency call down list**;

4) a facility site plan showing areas of oil storage, containment, direction of flow, etc;

5) a description of the procedures that facility employees have been instructed to follow to stop, contain and clean up any released oil;

6) oil storage inspection procedures, and procedures for releasing collections of rain water.

A SPCC plan must be implemented within six months of beginning to store oil; the plan must be updated whenever significant changes to the oil storage occur, or every three years. To be considered "in effect" the SPCC Plan **must be** signed by management, and certified by a professional engineer (P.E.).

Does Ohio EPA have to approve my SPCC Plan?

No, your management indicates "approval" by its signoff and the P.E. certifies that the SPCC plan has been implemented and meets the requirements of the regulations to the best of their knowledge. This knowledge is based on them on sight inspection or that of someone who reports to him. Management must review and sign the plan every three years, even when there have been no changes to storage.

Only facilities subject to the Facility Response Plan portion of the SPCC Regulations must have their plans approved, and then by USEPA or the Coast Guard. "FRP facilities" are those that store 1 million gallons or more, or transfer 42,000 gallons over water.

If your facility damage flows through a treatment device (such as an oil/water separator), then an NPDES Permit to Install may be required.

How will I know if my SPCC Plan is adequate?

USEPA and Ohio EPA may request you to submit your plan for review. Sample plans are available upon request from a number of sources such as the American Petroleum Institute and on the Internet (www.epa.gov/oilspill/spcc/index.htm).

If a release of 1000 gallons or more occurs from your facility or you have two reportable quantity releases within a twelve month period you must

submit your SPCC Plan to USEPA Region 5 and to the appropriate OhioEPA District Office Emergency Response program. **Either USEPA, or OhioEPA can ask to see your SPCC plan at any manned facility during the hours of normal operation.** You must be able to locate and provide the Plan upon request.

What if I do not have a plan or if it is determined that my facility has not adequately implemented SPCC's requirements?

Depending on the circumstances and degree of inadequacy, your facility may be provided an opportunity to come into voluntary compliance; however, it is also possible that civil penalties of \$10,000/day could be levied.

This fact sheet only touches on some of the requirements of SPCC, you should not use it as your only reference for determining applicability or compliance. For more information call USEPA Region 5 at 312-353-8200 or visit USEPA's website at www.epa.gov/oilspill