



Highlights of [GAO-08-482](#), a report to congressional requesters

Why GAO Did This Study

Oil leaks from aboveground tanks have contaminated soil and water, threatening human health and wildlife. To prevent damage from oil spills, the Environmental Protection Agency (EPA) issued the Spill Prevention, Control, and Countermeasure (SPCC) rule in 1973. EPA's 10 regions inspect oil storage facilities to ensure compliance with the rule. EPA estimates that about 571,000 facilities are subject to this rule. Some states also regulate oil storage tanks.

GAO determined (1) how EPA regions implement the SPCC program, (2) the data EPA has to implement and evaluate the program, and (3) whether some states' tank programs suggest ways for EPA to improve its program. GAO surveyed all 10 EPA regions and interviewed officials in EPA and six states selected on the basis of experts' recommendations, among other criteria.

What GAO Recommends

GAO recommends that EPA (1) analyze options for obtaining data on SPCC-regulated facilities, including a tank registration program; (2) develop guidance for EPA regions on how to better coordinate with states on SPCC issues; and (3) finish developing performance measures and obtain data to evaluate SPCC program effectiveness. In commenting on a draft of this report, EPA generally agreed with GAO's recommendations and provided a number of technical comments that have been incorporated into the report, as appropriate.

To view the full product, including the scope and methodology, click on [GAO-08-482](#). For more information, contact John B. Stephenson at (202) 512-3841 or stephensonj@gao.gov.

ABOVEGROUND OIL STORAGE TANKS

More Complete Facility Data Could Improve Implementation of EPA's Spill Prevention Program

What GAO Found

EPA allows regional offices flexibility to implement the SPCC program according to their individual circumstances. These differences account, at least in part, for regional variations in the number of SPCC inspections. According to GAO's survey, during fiscal years 2004 through 2006, EPA regions conducted 3,359 SPCC inspections—less than 1 percent of EPA's estimate of SPCC facilities—ranging from 184 in Region 10 to 745 in Region 6. Furthermore, because of regional differences in the number of inspections and the enforcement mechanisms used, the number of SPCC enforcement actions also varied. While EPA allows regional flexibility, it has begun implementing SPCC policies and procedures to promote consistency in how the SPCC regulations are interpreted and enforced.

EPA has information on only a portion of the facilities subject to the SPCC rule, hindering its ability to identify and effectively target facilities for inspection and enforcement, and to evaluate whether the program is achieving its goals. Because facilities subject to the SPCC rule do not have to report to EPA, the agency can only estimate the universe of SPCC-regulated facilities and must try to identify them through such means as oil spill data, state referrals, and Internet searches. Through inspections, EPA determines if the facility is subject to the rule. While inspections of known SPCC facilities are generally risk-based, the risk assessments exclude the large number of estimated SPCC facilities that have not yet been identified and that may pose more serious threats than those currently targeted for inspection. EPA is developing a national database to promote standard data collection across regions and expand the facility information available to regional managers. However, this database is limited to previously inspected facilities and will not enable EPA to identify SPCC facilities beyond those already known. Ultimately, incomplete information on which facilities are subject to the SPCC rule, and where and how often leaks may occur, prevents EPA from effectively targeting inspections to facilities that potentially pose the highest risks. Furthermore, EPA does not have performance measures to examine the program's effectiveness. EPA is developing additional measures, but without more complete data on the SPCC-regulated universe, these measures cannot gauge the program's accomplishments.

The tank inspection programs of Florida, Minnesota, Missouri, New Jersey, New Mexico, and Virginia can provide EPA with insight on potential improvements to the SPCC program. For example, five of the six states use tank registration and reporting systems to collect data on oil storage facilities, giving them information on the universe of facilities subject to state regulations. These states can therefore inspect all their facilities or target those they believe present the highest risks of spills. By taking a similar approach, EPA would have more complete data for setting inspection priorities based on risk. Furthermore, because these states have detailed knowledge of their facilities, EPA could benefit from increased coordination with them, when, for example, it identifies facilities and targets inspections.