

The New SPCC Rule Overview



U. S. EPA

www.epa.gov/oilspill



2002 SPCC Rule

(Finally!)



Publication Date: July 17, 2002



Effective Date: August 16, 2002





The New SPCC Rule

- New format
- New sections for different types of facilities and new subparts for different types of oils (petroleum and other oils, animal fats and vegetable oils).
- Incorporates the use of plain language.





Elements of the New Rule

“Should to shall to must.”

Clarification that the rule’s requirements are **mandatory**.





Applicability Under New Rule

General Applicability 112.1

Now includes “**using oil**”

(i.e. oil filled electrical equipment).





Applicability Under New Rule

- **Regulatory threshold:**
 - Raises the threshold by eliminating the **660 gallon/single** container criteria.

– **Now total >1,320 gallons**



- **Minimum container size:**
 - Exempts containers less than **55 gallons** from capacity calculation.





New Exemptions in the Rule

The rule exempts completely buried tanks that are subject to **all technical requirements** of the Underground Storage Tank rules at **(40 CFR part 280 or 281)**. Some exceptions may apply.





New Exemptions in the Rule

A facility, or part, used **exclusively** for wastewater treatment and not used for any other requirement of 40 CFR Part 112.





Elements of the New Rule



SPCC Plan Preparation - otherwise exempt facilities:



EPA Regional Administrators have authority to require preparation of an SPCC Plan for otherwise exempt facilities on a case-by-case basis.





Elements of the New Rule

New Definitions Section 112.2

- « Facility
- « Bulk Storage Container
- « Breakout Tank
- « Storage Capacity
- « Alteration
- « Repair
- « Permanently Closed Container





New Definitions in the Rule

Facility:

Any mobile or fixed, onshore or offshore building, structure, installation, equipment, pipe, or pipeline used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and waste treatment, or in which oil is used... **(may be as small as a piece of equipment or as large as a military base).**

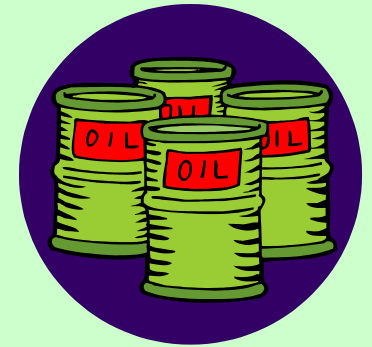




New Definitions in the Rule



Bulk Storage Container:



- **Any container used to store oil.**
- Oil filled electrical, manufacturing or operational equipment not included in the definition. Therefore, they are not subject to the bulk storage requirements of the rule (containment, testing, and fail safe engineering)
- Bunkered Tanks, Completely Buried Tanks Partially Buried Tanks are considered above ground tanks.





New Definitions in the Rule



Breakout Tank:

A container used to relieve surges in an oil pipeline system or to receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.



Storage Capacity:

Means the shell capacity.





New Definitions in the Rule

Alteration:

Any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configuration of the container.

Repair:

Any work necessary to maintain or restore a container to a condition suitable for safe operation, other than ordinary, day-to-day maintenance to maintain the functional integrity of the container and that does not weaken the container.





New Definitions in the Rule



Permanently closed containers:

No sludge, no liquid, no piping connections, closed/locked valves and signs indicating closure date.





Elements of the New Rule

Section 112.3

- Timeframes for preparation and implementation.
- Must maintain copy of Plan at facility if attended **4** or more hours per day.
- Professional Engineer (P.E.) certification statement.





Elements of the New Rule

- P.E. must certify **SPCC Plan is prepared in accordance with Part 112 and must consider applicable industry standards.**
- The rule will allow a P.E.'s agent to conduct the site visit in place of the P.E., but the P.E. must review the agent's work and certify the Plan.
- P.E. certification not required for non-technical amendments.





Elements of the New Rule

Section 112.4

Submission of SPCC Plan to Regional Administrator:

Whenever facility has discharged:

- more than 1,000 gallons; or
- **more than 42 gallons** in each of two discharges in any 12-month period.

RA may require amendments after on-site review of Plan.





Elements of the New Rule

- Provide same information as that provided to RA to the State agency in charge of **oil pollution control activities** in state in which facility is located.
- The State agency may then make recommendations to the RA as to further procedures, methods, equipment or other requirements necessary to prevent or contain discharges of oil from the facility.





Elements of the New Rule

Section 112.5

Amendment by Owner/Operator:

- Review Plan at least once every **5** years.
- P.E. must certify only **technical amendments**.





Elements of the New Rule

Section 112.7 General Requirements:

- **New format:**
 - Includes new sections for different types of facilities and new subparts for different types of oils (petroleum and other oils, animal fats and vegetable oils).
- **Alternative formats for SPCC Plans:**
 - Encourages an owner or operator to use an Integrated Contingency Plan (ICP) or a State Plan (requires a cross reference to sections).



Elements of the New Rule

Deviations:

The rule will allow waivers for most provisions, provided the owner or operator explains the reasons for nonconformance in the Plan and provides equivalent environmental protection.

(Not applicable to secondary containment)

RA may not agree and require amendment of the Plan.





Elements of the New Rule

Facility Diagram:

Required; must mark location and contents of each container

(including exempt UST's and all piping).



Business records:

Allows an owner or operator to use “usual and customary” business records as a record of tests and inspections.



Elements of the New Rule

- **Brittle fracture evaluation:**
 - The rule requires evaluations for field-constructed aboveground storage containers undergoing repair, alteration, or change in service.
- **Employee training:**
 - **Limits training requirements to oil- handling employees.**





Elements of the New Rule

Section 112.8 - Onshore Facilities, excluding production facilities:

Allows NPDES records to be used to record stormwater bypass events.

Requires testing on regular schedule, or after material repairs, must combine visual with other methodology.

Requires buried piping to have protective wrapping, coating and cathodic protection if installed after 8/16/02.





Elements of the New Rule

Section 112.9

Onshore Oil Production Facilities:

Allows NPDES records to be used to record stormwater bypass events.

Clarifies that all **tank battery, separation and treating installations** must have secondary containment for entire capacity of largest single container and sufficient freeboard to contain precipitation.





Elements of the New Rule



Section 112.12



Requirements for Animal Fats, Oils and Greases; Fish and Marine Mammal Oils; and Vegetable Oils:



Same as Section 112.8





Timeframes

- The SPCC rule requires the owner or operator of a facility existing before August 16, 2002, to amend, if necessary, the SPCC Plan on or before August 17, 2004, and to implement the amended Plan by February 18, 2005.





Timeframes

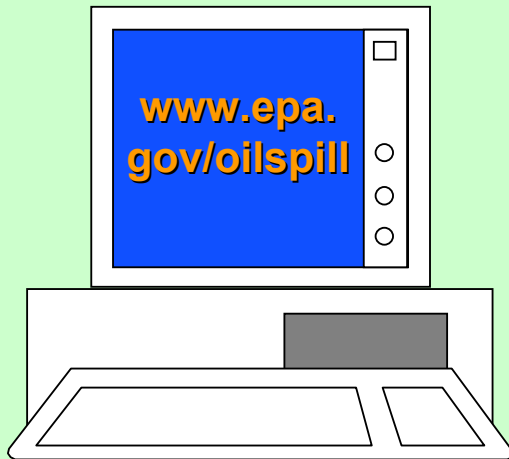
- The owner or operator of a facility that becomes operational after August 16, 2002 through February 18, 2005, must prepare and implement a Plan on or before February 18, 2005.
- The owner or operator of a facility which becomes operational after February 18, 2005, must prepare and implement a Plan before beginning operations.



Web Sites

Web Site for New Rule:

www.gpo.gov



EPA Web Sites:

www.epa.gov/oilspill/spccrule

EPA Hotlines

- National Response Center (NRC): 800-424-8802
- For SPCC, FRP, & OPA Information: 800-424-9346
- NCP Product Schedule Information: 202-260-2342





EPA Contacts

Christopher Jimenez

732-906-6847

jimenez.christopher@epa.gov

Michelle Rogow

415-972-3082

rogow.michelle@epa.gov

Peter Reich

415-972-3052

reich.peter@epa.gov



QUESTIONS ???



Thank you

U.S. Environmental Protection Agency