



Spill Prevention, Control, and Countermeasure (SPCC) Rule Amendments

Streamlined Requirements for Mobile Refuelers

In December 2006, EPA amended the SPCC rule to streamline some of the requirements for facilities with smaller oil storage capacity and specific types of equipment, including those for sized secondary containment for mobile refuelers. Owners and operators of mobile refuelers at a non-transportation-related facility will no longer need to provide sized secondary containment systems, which are systems large enough to contain the capacity of the largest single compartment or container on a mobile refueler along with enough room to contain precipitation. Providing sized secondary containment for vehicles that move frequently within a facility to perform refueling operations can raise safety and security concerns. However, the SPCC rule's general secondary containment requirements still apply to mobile refuelers as well as containment requirements associated with oil transfers.

What is a mobile refueler?

A mobile refueler is a bulk storage container onboard a vehicle or being towed that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

Mobile refuelers may be found at the following non-transportation-related locations: industrial sites, airports, military bases, construction sites, chemical complexes, mining sites, seaport terminals, and tank truck home bases.

How do the new changes apply to mobile refuelers?

Mobile refuelers are now exempt from the following sized secondary containment provisions that still apply to all other bulk storage containers and mobile/portable bulk storage containers:

- Sections 112.8(c)(2) and (11) for petroleum oils
- Sections 112.12(c)(2) and (11) for animal fats and vegetable oils

These provisions previously required sized secondary containment for mobile refuelers, such as a dike or catchment basin, of sufficient size to contain the capacity of the largest

compartment or container on a mobile refueler along with enough room to contain precipitation.

The exemption does not apply to refuelers used primarily for the bulk storage of oil in a fixed location in place of stationary containers (e.g., a refueler that no longer can move or conduct transfers and is left only to serve as a bulk storage container).

What secondary containment requirements continue to apply?

General secondary containment requirements in §112.7(c) still apply to mobile refuelers at SPCC regulated facilities.

General secondary containment should be designed to address the most likely discharge from the container and from oil transfers into or from the mobile refueler. The general secondary containment requirements:

- Do not prescribe a size for a secondary containment structure but require that the containment system prevent the spilled oil from escaping the system prior to clean up occurring
- Require appropriate containment and/or diversionary structures or equipment to prevent a discharge to navigable waters or adjoining shorelines

- Allow for the use of certain types of active containment measures that prevent a discharge to navigable waters or adjoining shorelines.

When could active containment measures be appropriate?

Active containment measures require deployment or other specific action by the owner or operator. For discharges that occur only during manned activities, such as transfers, an active measure may be appropriate, as long as the measure can contain the volume and rate of oil, is properly constructed, and is deployed in a timely manner.

These active measures could also be applied to other situations, as deemed appropriate by a Professional Engineer (or owner/operator of a qualified facility).

Do sized secondary containment requirements still apply to other mobile or portable bulk storage containers?

Yes. When mobile or portable bulk storage containers (such as drums, skids, railcars and totes) are in a stationary, unattended mode and not under the direct oversight or control of facility personnel, the sized secondary requirements apply. When mobile or portable bulk storage containers (other than mobile refuelers) are involved in on-site movement, e.g., being towed by vehicles (including locomotives) or moved to/from a designated operational area, then the general secondary containment requirements apply.

When is a mobile refueler subject to SPCC requirements?

According to a 1971 Memorandum of Understanding between the Department of Transportation (DOT) and the Environmental Protection Agency, EPA regulates non-transportation-related facilities and DOT regulates transportation-related facilities:

- Mobile refuelers that operate solely within the confines of a non-transportation-related facility subject to the SPCC rule must comply with the general secondary containment requirements during all periods of operation.
- Other mobile refuelers (i.e., transportation-related) involved in a transfer operation at an SPCC-regulated facility would be subject to the loading/unloading rack requirements when the transfer occurs at a rack or the general secondary containment requirements for all other transfers.

For more information on EPA's jurisdiction, please see Appendix A to 40 CFR part 112.

For More Information

Read the SPCC rule amendment

www.epa.gov/oilspill

Review the Oil Pollution Prevention regulation (40 CFR part 112)

<http://www.gpoaccess.gov/cfr/>

Visit the EPA Office of Emergency Management Web site

www.epa.gov/emergencies

Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center

(800) 424-9346 or (703) 412-9810

TDD (800) 553-7672 or (703) 412-3323

www.epa.gov/superfund/resources/infocenter

To Report an Oil or Chemical Spill

Call the National Response Center

(800) 424-8802 or (202) 267-2675

TDD (202) 267-4477