

Final Changes to SPCC Requirements

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Overview

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On February 26, 2007, changes to the requirements for Spill Prevention, Control & Countermeasure (SPCC) Plans became final. These changes were first proposed by US EPA in December 2005, and were published in final form in December 2006.

The changes made to the SPCC requirements will be significant to many facilities; however the most important changes will benefit smaller facilities, facilities with certain types of oil-filled equipment, and facilities that use mobile refueling equipment.

Who Could Benefit?

Many of the revisions to the SPCC requirements will streamline compliance requirements and ultimately reduce the complexity and costs associated with compliance. US EPA believes that reducing the overall complexity of the program will improve compliance, especially with small to mid-sized facilities that are affected.

Specifically, the types of facilities that may benefit are:

Facilities with total oil storage capacity between 1,320 and 10,000 gallons

- for these facilities, SPCC Plans are no longer required to be signed by a Professional Engineer (PE)

Facilities with certain types of regulated oil-filled equipment

- some types of oil-filled equipment is now exempted from secondary containment requirements

Facilities with mobile refueling vehicles

- secondary containment requirements are reduced for storage of some types of refueling vehicles

SPCC requirements are intended to reduce accidental discharges of all types of oils to the waters of the US

Self-Certification of SPCC Plans

Examples of containers (>55 gallons) which must be included in calculation of SPCC applicability:

Aboveground storage tanks

Other bulk containers

Drums

Oil-filled equipment

Mobile tanks

SPCC Plans can now be self-certified (no PE certification required), if facilities meet a few qualifications:

- On-site oil storage capacity must be less than 10,000 gallons
- Over the past three years, no single spill greater than 1,000 gallons, and no more than two spills greater than 42 gallons have occurred.
- The SPCC meets all requirements, without the use of “environmentally equivalent” or “impracticality” determinations

SPCC Plans will still need to be certified that the signatory is:

- Familiar with SPCC requirements,
- Has visited and reviewed the facility, and
- The Plan was prepared in accordance with accepted and sound industry practices,
- Procedures for inspections and testing have been established,
- The Plan is fully implemented, and
- The facility meets all the requirements to qualify for self-certification

Oil-filled Equipment Requirements

Oil-filled equipment is regulated under SPCC requirements. This includes some very common types of equipment: hydraulic systems, lubricating systems, gear boxes, electrical transformers & other electrical equipment, coolant and heat transfer systems.

One of the challenges of complying with SPCC requirements is providing adequate secondary containment around this type of equipment.

The revision to the SPCC rule now allows facilities to rely on an inspection program and contingency planning in lieu of secondary containment. To qualify for this exemption, facilities need to commit to having the necessary resources available to address spills from qualifying oil-filled equipment. They must also be able to demonstrate that no reportable spills have occurred from the equipment over the past three years.

By using this alternate means of protection, facilities do not need to demonstrate that secondary containment is not feasible. And using this alternate means will not preclude a facility from being qualified to self-certify their SPCC Plan.

Mobile Refueling Equipment

The revised SPCC Rule also clarifies a few points in regards to mobile tanks.

First, the Rule clarifies that tanks on vehicles used to hold fuels and operating fluids required to operate the vehicle are not intended to be included under the SPCC requirements.

Typical mobile refueling equipment would have two types of fuel storage - a fuel tank for operation of the engine, and a storage tank used to move fuel around the facility. Under the revised Rule, the engine's fuel tank (i.e., "motive fuel container") would not be included under an SPCC Plan; however, the bulk fuel tank the vehicle carries would be included.

The bulk fuel tank on the refueling vehicle would normally require the same spill protections that other containers need. However, the revised Rule clarifies that these refueling vehicles are exempted from some SPCC requirements.

Specifically, the revision exempts mobile refueling vehicles from the requirements to have a sized secondary containment structure. However, when this equipment (included towed equipment) is placed or stored in a designated area of the site, that area must have the required secondary containment.

Useful Links

You can get more information on SPCC and related programs through these links:

<http://www.epa.gov/oilspill/spcc.htm>

-this is US EPA's web page for SPCC information

<http://www.epa.gov/oilspill/pdfs/fr122606.pdf>

-this document is the Federal Register notification of the final revised SPCC Rule

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