

SPCC: What You Must Know

A quick guide
to understanding
and complying
with Federal Spill
Prevention, Control,
and Countermeasure
(SPCC) regulations



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Compliance with SPCC requirements is mandatory. However, compliance with Federal SPCC requirements has become increasingly complicated in recent years, brought on by changes to deadlines, amendments, and case laws. This guide outlines the current compliance obligations for facility owners and/or operators.

What is SPCC?

The Spill Prevention, Control, and Countermeasure Plan exists as a preventative effort by the Environmental Protection Agency to eliminate or mitigate the threat of potential oil spills into or upon navigable waters of the United States or adjoining shorelines through the regulation of oil storage tanks.

What it is NOT:

- ◇ NPDES Permit
- ◇ Stormwater Plan
- ◇ Waste Permit
- ◇ UST Program
- ◇ MMS' Oil Spill Response Plan

2010 Compliance Date

On June 19, 2009, the US EPA amended the dates by which all applicable facilities must amend or prepare and implement SPCC plans, in accordance with revisions to the SPCC rule in effect since 2002. See a PowerPoint presentation from the EPA for additional information: http://epa.gov/OEM/docs/oil/spcc/spcc_rules_amendments_nov09.ppt

Compliance dates for all facilities by facility operation start date:

On or before August 16, 2002

Continue to maintain existing SPCC Plans in accordance with the SPCC rule. Amend and implement Plans no later than **November 10, 2010**

After August 16, 2002, through November 10, 2010

Prepare and implement SPCC Plans no later than **November 10, 2010**

After November 10, 2010

Prepare and implement SPCC Plans **before beginning operations**

SPCC Criteria

1. Non transportation-related Facility

The SPCC regulation applies to owners and/or operators of a non-transportation-related facility that participates in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil or oil products.

2. Proximity to Navigable Waters of the US

Depending upon the location of the facility, a spill or release possibly impacts the navigable waters of the United States or adjoining shorelines in harmful quantities. “Navigable waters” was revised in a court decision effective as of November, 2008 as:

All navigable waters of the United States, as defined in judicial decisions prior to the passage of the 1972 Clean Water Act (CWA), and tributaries of such waters:

- ◇ Interstate waters
- ◇ Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes
- ◇ Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce

According to the Clean Water Act, a spill or release that impacts navigable waters in harmful quantity is defined as:

- ◇ Spill or release that causes a sheen or discoloration on the surface of the water or adjoining shorelines
- ◇ Spill or release that causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines
- ◇ Spill or release that violates an applicable water quality standard

3. Oil Storage Capacity of 1,320 gallons or greater aboveground, or 42,000 gallons* or greater belowground

A facility’s storage capacity excludes the capacity of:

- ◇ Containers with a storage capacity of less than 55 gallons
- ◇ Permanently closed tanks and containers
- ◇ Storage containers used only in wastewater treatment
- ◇ “Motive Power” containers
- ◇ Hot-mix asphalt containers
- ◇ Heating oil containers used exclusively at a single-family residence
- ◇ Produced water containers if exempted by a Professional Engineer

* only pertains to tanks not already regulated by federal law

Need help determining if your facility is subject to SPCC criteria?

Contact Piedmont Geologic at 919.854.9700, info@piedmontgeologic.com or www.piedmontgeologic.com



Need additional assistance?

Contact Piedmont Geologic for assistance with your
SPCC plan at 919.854.9700, info@piedmontgeologic.com
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