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## Spill Prevention, Control, and Countermeasure (SPCC) Plan

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40 CFR 112

### Do these regulations apply to my operation?

The Spill Prevention, Control, and Countermeasures (SPCC) regulations apply to facilities or farms that store, transfer, process, refine, use or consume oil (e.g. crude oil, animal, soy and vegetable oils, petroleum products, etc.) in excess of the following limits *and* from which an oil leak or spill could ultimately discharge to a surface water (i.e., storm sewer, ditch, drainage tile, river or lake).

- Total facility aboveground oil storage **capacity** greater than 1,320 gallons in containers (i.e., bulk storage containers, oil filled equipment, etc.) with a capacity of 55 gallons or more, or
- Total facility completely buried capacity greater than 42,000 gallons.

A facility that meets the criteria described above must comply with the SPCC rule by preventing oil spills and developing and implementing an SPCC Plan.

### General Requirements/Summary

SPCC plans are designed to minimize the potential for an oil release to occur and mitigate any environmental impacts in the event one does occur.

### What are the benefits of implementing an SPCC plan?

The SPCC regulations were established to reduce the likelihood and severity of oil leaks and spills. By preparing and implementing a plan, the facility assures it has installed effective spill prevention equipment/secondary containment, established emergency response plans and operating procedures, and provided employee training to prevent and/or respond to oil spills. These proactive activities will reduce emergency response and environmental liability costs associated with spills. Finally, federal law requires SPCC plans for facilities that exceed the storage limits listed above and thus, should be implemented from a strict compliance standpoint.

## Plan Preparation and Certification

Preparation of the SPCC Plan is the responsibility of the facility owner or operator and may require certification by a licensed Professional Engineer (PE). However, the owner or operator may also be eligible to self-certify the SPCC Plan if the facility meets the following eligibility criteria:

<b>The total facility aboveground oil storage capacity is greater than 1,320 gallons but less than 10,000 gallons...</b>		
<b>And...</b>	<b>And the facility has...</b>	<b>Then the facility is a:</b>
Within three years prior to the Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, the facility has not had: <ul style="list-style-type: none"> <li>• A single discharge of oil to navigable waters exceeding 1,000 gallons, or</li> <li>• Two discharges of oil to navigable waters exceeding 42 gallons within any 12-month period<sup>1</sup>.</li> </ul>	No individual aboveground oil containers greater than 5,000 gallons	<b>Tier I Qualified Facility:</b> Complete and self-certify the Plan template <sup>2</sup>
	Any individual aboveground oil container greater than 5,000 gallons	<b>Tier II Qualified Facility:</b> Prepare a self-certified Plan in accordance with all applicable requirements
<sup>1</sup> The gallon amount(s) specified (either 1,000 or 42) refer to the amount of oil that actually reaches navigable waters or adjoining shorelines, not the total amount of oil spilled. Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this qualification determination.		
<sup>2</sup> <a href="https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/tier-i-qualified-facility-spcc-plan-template">https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/tier-i-qualified-facility-spcc-plan-template</a>		

An owner/operator that certifies a facility's SPCC Plan attests that he/she is familiar with requirements of 40 CFR 112 and has visited and examined the facility. The owner/operator also certifies:

- The Plan has been prepared in accordance with sound industry practices and standards and with the rule requirements
- Procedures for required inspections and testing have been established;
- The Plan is being fully implemented
- The facility meets the qualifying criteria
- The Plan does not deviate from rule requirements except as allowed and certified by a PE
- Management approves the Plan and has committed resources to implement it. If the facility does not qualify as a Tier I or Tier II qualified facility, the SPCC Plan must be certified by a licensed PE.

**If the facility does not qualify as a Tier I or Tier II qualified facility, the SPCC Plan must be certified by a licensed PE.**

By certifying the SPCC Plan, the PE confirms that:

- They are familiar with the requirements of the rule
- They or an agent have visited and examined the facility
- The SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of the rule
- Procedures for required inspections and testing have been established; and
- The SPCC Plan is adequate for the facility

## All Facilities

- Must maintain a copy of the Plan at the facility or property where oil is stored or at the nearest field office if the facility is not normally attended at least four hours per working day.
- Must amend the Plan within six months when there is a change in facility design, construction, operation, or maintenance, which affects potential for oil discharge.
- Must complete a review and evaluation of the SPCC Plan at least once every five years. As a result of the review, amend the Plan within six months to include more effective prevention and control measures for the facility, if applicable.

## Important Elements of an SPCC Plan

- Description of the facility and facility diagram documenting:
  - » fixed locations of each oil storage container and/or storage areas for mobile/portable containers
  - » type of oil in each container and storage quantity;
- Oil discharge predictions and prevention measures;
- Methods of disposal of recovered materials
- Appropriate secondary containment or diversionary structures based on containment calculations;
- Facility drainage;
- Site security;
- Facility inspections-maintain records for three years;
- Requirements for bulk storage containers including inspections, overfill and integrity testing requirements;
- Transfer procedures and equipment (including piping);
- Requirements for qualified oil-filled operational equipment;
- Loading/unloading rack requirements and procedures for tank cars and tank trucks;
- Brittle fracture evaluations for aboveground field constructed containers;
- Personnel training and oil discharge prevention briefings annually;
- Recordkeeping requirement;
- Five-year Plan review;
- Management approval; and
- Plan certification (by a PE or in certain cases by the facility owner/operator).

## Spill Reporting

**Emergency notification** requirements are outlined within the Emergency Planning Community Right-to-know Act (EPCRA) and include immediate reporting to:

- The National Response Center (NRC) at 800-424-8802;
- EPA Region VII at 913-281-0991;
- The State Emergency Response Commission (SERC)- Iowa Department of Natural Resources (DNR) at 515-725-8694; and
- The Local Emergency Planning Committee (LEPC). To determine your LEPC, see <https://homelandsecurity.iowa.gov/programs/lepc/>

In addition to emergency notification requirements, facilities must provide a written report to the Region VII Environmental Protection Agency (EPA) within 60 days if more than 1,000 gallons of oil are discharged or a discharge of more than 42 gallons in each of two spill events within a 12-month period. The report should include:

- Name of facility;
- Your name;
- Location of the facility;
- Maximum storage or handling capacity and normal daily throughput;
- Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;
- An adequate description of the facility, including maps, flow diagrams, topographical maps, as necessary;
- The cause of the reportable discharge, including a failure analysis of the system or subsystem in which the failure occurred; and
- Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence.

Facilities must also provide a written report to the Iowa Department of Natural Resources (DNR) within 30 days as outlined in the DNR Spill Reporting Guide: <https://www.iowadnr.gov/Environmental-Protection/Land-Quality/Emergency-Planning-EPCRA/Spill-Reporting>

*The Iowa Waste Reduction Center can assist your small business.  
Please contact the IWRC at 319-273-8905 for free, non-regulatory and confidential environmental assistance.*