

Spill Prevention, Control and Countermeasures Plan Guidance

This web page is intended to serve as a brief explanation of the Oil Spill Prevention Regulation (40 CFR, Part 112), a part of the Federal Clean Water Act (Public Law 92-500). The regulation requires certain facilities to prepare and implement Spill Prevention, Control and Countermeasure (SPCC) Plans.

What is the purpose of a Spill Prevention, Control, and Countermeasure Plan?

The purpose is to develop and implement procedures and methods that prevent the discharge of oil from a facility into the navigable waters or adjoining shorelines of the U.S. A key part of the plan is a requirement that your facility have either adequate secondary containment, such as berm and dikes, or diversionary structures around oil storage tanks.

Which facilities need to have an SPCC Plan?

A facility that:

- Stores oil above ground in any single tank over 660 gallons; or
- Stores oil above ground in any size tank with a total aggregate volume over 1,320 gallons
- Stores oil below ground in any size tank with a total aggregate volume of 42,000 gallons
- Could reasonably be expected to discharge oil to a "navigable water of the United States" or "adjoining shorelines" considering a possible worst-case scenario; and
- Are non-transportation related facilities

If you suspect that your facility must comply with this regulation, you should read 40 CFR Part 112 and seek the services of a registered Professional Engineer (PE). If you are unsure as to whether your facility is subject to the regulation, you can call EPA at the number listed below.

What is an oil?

Under the SPCC regulation, oil is defined as "oil" of any kind or in any form, including but not limited to petroleum, fuel, oil, sludge, oil refuse and oil mixed with wastes other than dredged oil and oily mixtures." This also includes, but is not limited to, non-petroleum oils, synthetic, mineral, animal and vegetable oils.

Where should a SPCC Plan be kept?

A copy of the SPCC Plan must be maintained at any facility manned at least 8 hours per day; for remote locations, the SPCC Plan should be filed at the nearest field office. Copies should be made for postings in plain view at all oil storage locations. Employees working in the area or with oil should be familiar with the regulation and the SPCC Plan. A copy does not have to be filed with the EPA or any other agency, unless it is a condition of a permit or license held by the facility. However, the SPCC Plan must be available during normal business hours for review by an EPA inspector.

Are there guidelines for preparing an SPCC Plan?

The guidelines for preparing SPCC Plans are detailed in 40 CFR 112.7. The SPCC Plan provides information, which is specific to each facility and, at a minimum, must contain:

- Facility layout and drainage patterns;
- List of all storage including above and below ground tanks, portable tanks, mobile tanks, drums and small containers, transformers, and other oil-filled equipment
- Quantities of oil that could be released with predicted flow path and flow rate
- Description and frequency of pressure and integrity testing of tanks and piping and/ or diversionary structures and equipment
- Capacity and type of secondary containment

- Facility security, procedures and equipment
- Employee training for spill prevention
- Management approval and certification by P.E.
- Procedures and requirements for fuel transfer
- Spill history
- Amendments to the SPCC Plan if there are changes in the facility design, construction, operation or maintenance which materially affects the facility's potential for the discharge of oil
- Amendments to the SPCC Plan after having two or more spills (of any size) in 12 months, or a spill into a navigable waterway of 1,000 gallons or more
- To review the SPCC Plan at least once every three years

What if my facility does not have an SPCC Plan?

The penalty for failure to have an SPCC Plan can be up to \$27,500 per day of violation, if a federal judicial case is filed, or up to \$137,000 if an administrative action is filed. The EPA conducts random, unannounced inspections of facilities suspected of needing an SPCC Plan. Be prepared. If you think your facility requires an SPCC Plan, call for information and compliance assistance.