Spill Prevention, Control, and Countermeasure Rule

Overview

May 2, 2006
Prevention of Inland Oil Spills: Legislative History/Authority

- **Water Quality Improvement Act of 1970**
  - Broadened government oil spill responsibilities to cover onshore facilities

- **Clean Water Act (current)**
  - Requires procedures, methods, and equipment to
    - Prevent discharges of oil from vessels and facilities
    - Contain such discharges
Oil Spill Prevention Regulation

- **Spill Prevention, Control, and Countermeasure rule (40 CFR part 112)**
- **Goal:** To prevent all discharges of oil in quantities that may be harmful
- **Promulgated December 1973**
Regulatory History

- Floreffe Oil Spill 1988
- Proposed SPCC Rule Revisions
  - 1991
  - 1993
  - 1997
- Revised Rule July 2002
Regulated Facilities

- Potential for discharge to navigable water
- Non-transportation-related
- Oil storage capacity greater than 1,320 gallons (aboveground), or 42,000 gallons (certain completely buried)
- Use, handling or storage of all types of oils
  - Wide range of regulated facilities
Scope of SPCC Rule

- Establishes:
  - Oil discharge prevention procedures
  - Equipment requirements
  - Containment requirements

- Requires PE-Certified Plan
  - Outlines spill prevention methods
SPCC Plan Components

- Discharge prevention measures
- Discharge or drainage controls
- Countermeasures for discharge discovery, response, and cleanup
- Methods of disposal of recovered materials
- Contact list and phone numbers
- Information for reporting (if no FRP)
- Procedures for when a discharge occurs (if no FRP)
- Facility diagram
Concerns of Regulated Community

- Smaller capacity facilities face unique challenges
  - Farms, construction, automotive, manufacturing, etc.
- Major concern is the cost of PE certification
  - Overly expensive
  - Little benefit
Recent Regulatory Actions

- Proposal to extend compliance dates for all facilities
- Proposed modification of several requirements
  - Proposals published in the FR on December 12, 2005
- Issuance of *SPCC Guidance for Regional Inspectors*
  - Guidance posted December 2, 2005 at www.epa.gov/oilspill/guidance.htm
- Final rule to extend compliance dates
  - Published in the FR on February 17, 2006
SPCC Guidance for Regional Inspectors

- Released in December 2005
  - [www.epa.gov/oilspill](http://www.epa.gov/oilspill)
- Clarifies the role of the inspector in reviewing implementation of performance-based provisions
- Is a “living document” and may be updated or revised
- Does not address all aspects of the SPCC rule
Contact Information

Howard.markw@epa.gov

www.epa.gov/oilspill

1-800-424-9346