SPCC Rule Amendments

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CLU–IN

Internet Seminar

December 9, 2009

U.S. Environmental Protection Agency

Office of Emergency Management

Presentation Overview

1. SPCC Rule and 2008/2009 Amendments Overview
2. Compliance Dates
3. Final Amendments
    A. Exemptions
    B. Amended/Clarified Definitions
    C. Tier I Qualified Facilities
    D. Oil Production Facilities
    E. Other Revisions
    F. Preamble Clarifications
4. Additional Information

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Section 1.

SPCC Rule and Amendments Overview

Spill Prevention, Control and Countermeasure (SPCC) Rule Overview

- Oil Pollution Prevention regulation (40 CFR part 112)
  - Specifies requirements for prevention of, preparedness for, and response to oil discharges
  - Includes requirements for Facility Response Plans (FRPs)
- Requirements help prevent oil discharges from reaching navigable waters or adjoining shorelines.
- Certain facilities are required to develop SPCC Plans that describe equipment, workforce, procedures, and training to prevent, control, and provide adequate countermeasures to a discharge of oil.

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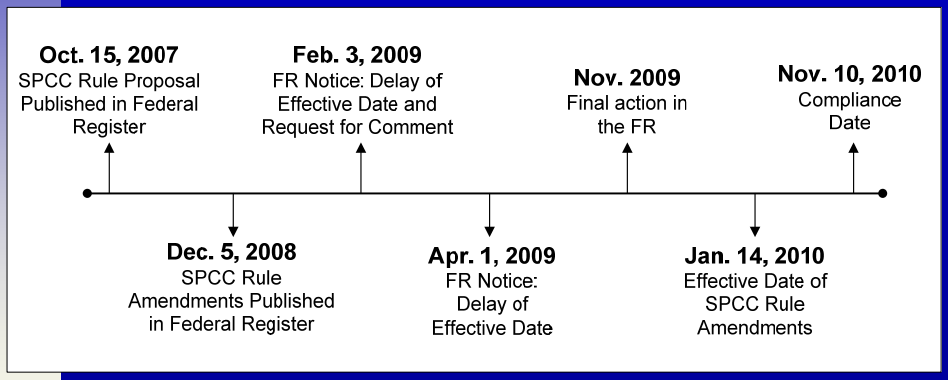
2008/2009 Amendments and Compliance Date Timeline



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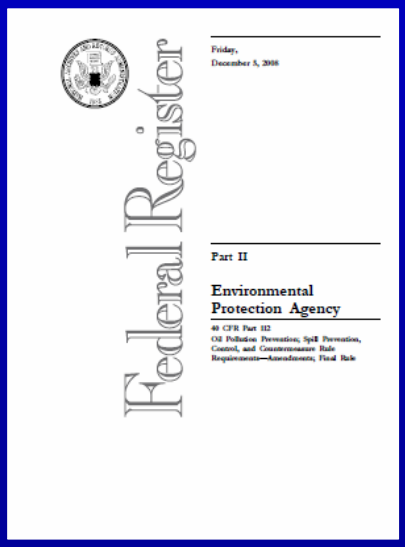
2008 SPCC Rule Amendments

- Published in the *FR* on December 5, 2008
- *Originally* scheduled to go in effect February 3, 2009
- Address areas highlighted in the EPA Regulatory Agenda and the 2005 OMB report "Regulatory Reform of the U.S. Manufacturing Sector"


Federal Register

Friday,
December 5, 2008

Part II

Environmental Protection Agency

40 CFR Part 112
Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule Requirements—Amendments; Final Rule

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Purpose of 2008 Amendments

- Address a number of issues raised by the regulated community
- Increase clarity
- Tailor and streamline certain requirements
- Facilitate compliance by owners and operators of a facility

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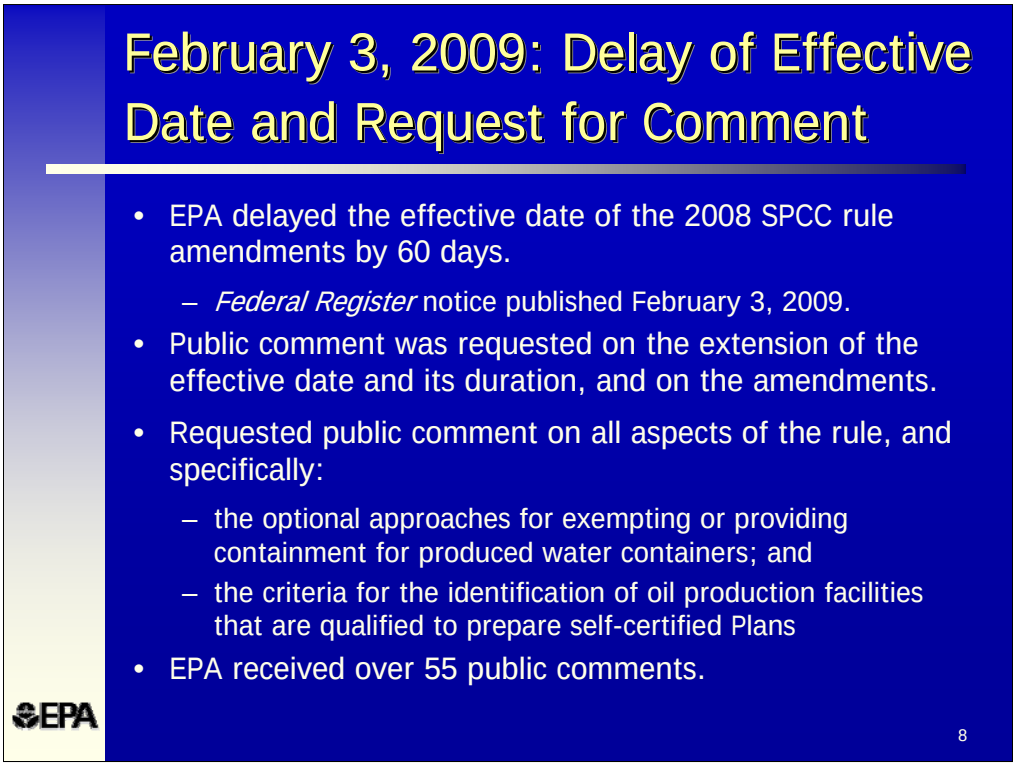
• The amendments are intended to increase clarity, tailor, and streamline certain requirements for a facility owner or operator

• Amends different areas of the SPCC rule that, taken together, offers industry the benefits of a tailored package of requirements



The delay was in response to the memo issued January 20, 2009 by President Obama's Chief of Staff, Rahm Emanuel, requesting the following steps:

•No proposed or final regulation sent to Office of the Federal Register, unless reviewed and approved by Obama Administration

•Withdraw from OFR of all proposed or final regulations not yet published in FR, pending review and approval

•Consider extending for 60 days the effective date of regulations that have been published in FR but not yet taken effect

Additional Delay to Allow Review of 2008 Amendments

- On April 1, 2009, EPA delayed the effective date of the SPCC rule amendments until January 14, 2010
  - *Federal Register* notice published April 1, 2009.
- Provided additional time for EPA to review the 2008 amendments and comments received.
- Public comment was requested on whether a further extension of the effective date may be warranted.

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2009 SPCC Rule Amendments

- Finalize certain December 2008 amendments without change
- Remove certain provisions from the December 2008 final rule
- Provide technical corrections to certain provisions of the December 2008 amendments

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December 2008 Amendments Finalized without Change

- Exempt hot-mix asphalt and hot-mix asphalt containers
- Exempt pesticide application equipment and related mix containers
- Exempt USTs deferred under 40 CFR 280 and vaulted tanks at nuclear power generation stations
- Exempt heating oil containers at single-family residences
- Clarify applicability of mobile refueler requirements to farm nurse tanks
- Amend the definition of “facility”
- Revise facility diagram requirement to provide additional flexibility
- Define and clarify requirements for a “loading/unloading rack”
- Modify secondary containment requirement language at §112.7(c) to provide more clarity
- Exempt non-transportation-related tank trucks from the sized secondary containment requirements
- Simplify security requirements
- Amend the integrity testing requirements to allow greater flexibility
- Amend integrity testing requirements for animal fat and vegetable oil containers that meet certain criteria

(continues...)

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December 2008 Amendments Finalized without Change

- Amend definition of “production facility”
- Clarify that drilling and workover activities are not subject to provisions at 112.9
- Exempt certain intra-facility gathering lines at oil production facilities
- Provide more prescriptive requirements for all flowlines/intra-facility gathering lines
- Provide alternate compliance option for flow-through process vessels to comply with secondary containment
- Provide alternate compliance option to sized secondary containment for produced water containers
- Provide an alternative compliance option for flowlines/intra-facility gathering lines in lieu of secondary containment
- Define “produced water container”
- Clarify definition of “permanently closed”
- Clarify applicability of the rule to man-made structures and wind turbines

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Technical Corrections to December 2008 Provisions

- Language related to the exemption for underground oil storage tanks and vaulted tanks that supply emergency diesel generators at nuclear power generation facilities.
- Clarifications and corrections of typographical and formatting errors related to the designation of a subset of “Tier I” qualified facilities with a set of streamlined SPCC rule requirements.
- Compliance date for new oil production facilities changes to November 10, 2010, to align with the current compliance date.

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December 2008 Provisions Removed from Final Rule

- Exclusion for oil production facilities and farms from loading/unloading rack requirements
- Alternative qualified facility eligibility criteria for an oil production facility
- Exemption for certain produced water containers

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Effective Date

- The 2008 Amendments will become effective January 14, 2010
- The 2009 Amendments will also become effective January 14, 2010

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Section 2.

Compliance Date

SPCC Rule Compliance Dates (continued)

- "Compliance dates" refer to the deadline for the owner or operator of an SPCC regulated facility to implement post-2002 SPCC requirements.
- The delay of effective date of the 2008 amendments does not impact the compliance date for the SPCC rule provisions.

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SPCC Rule Compliance Dates

- EPA published a "Final Rule to Amend Compliance Dates for SPCC Rule" in January 2009.
  - This was withdrawn from the Federal Register in accordance with the "Regulatory Review" White House memorandum and never promulgated .
- On June 19, 2009 published a compliance date extension for all facilities (including farms) until November 10, 2010.
- In the November 2009 final action, EPA committed to proposing an additional extension of compliance date.

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Compliance Dates for All Facilities

A facility starting operation…	Must…
On or before August 16, 2002	• Maintain its existing SPCC Plan • Amend and implement the SPCC Plan no later than **Nov. 10, 2010**
After August 16, 2002 through **Nov. 10, 2010**	• Prepare and implement the SPCC Plan no later than **Nov. 10, 2010**
After **Nov. 10, 2010**	• Prepare and implement a SPCC Plan **before beginning operations** *

* Owners or operators of new oil production facilities must prepare and implement an SPCC Plan six months after the start of operations.

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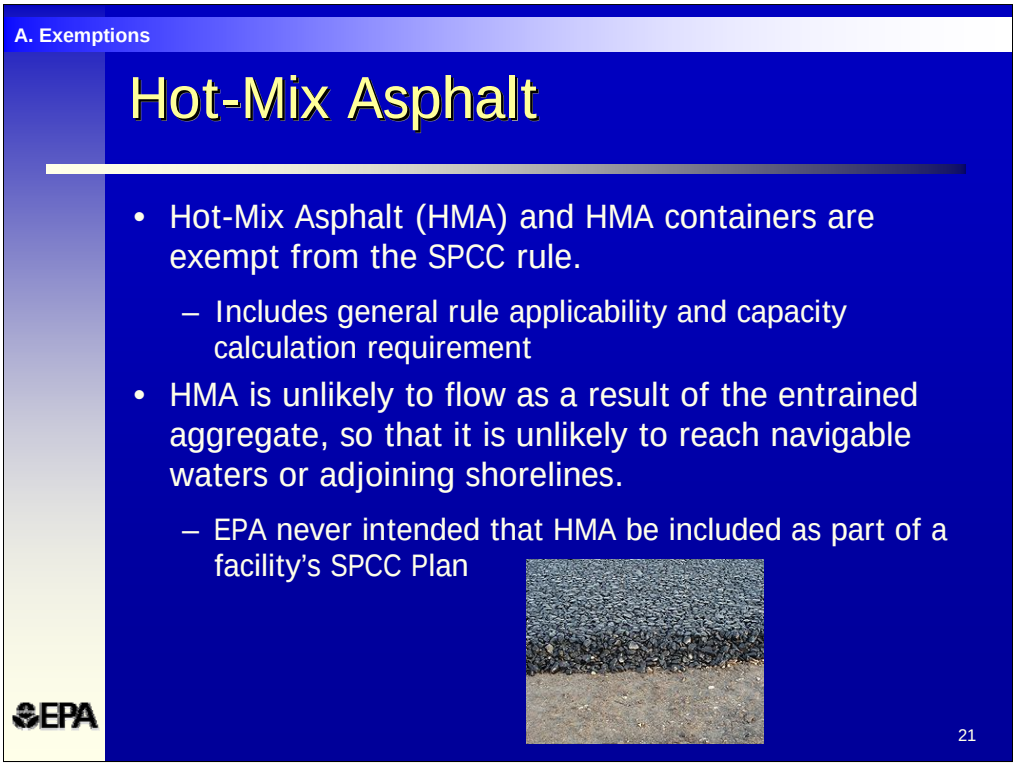
Section 3.

2009 Final Amendments



• Hot-mix asphalt and hot-mix asphalt containers are exempt from the SPCC rule, including general applicability and capacity calculation

  • Hot-mix asphalt is a blend of asphalt cement and aggregate material, such as stone, sand, or gravel, which is formed into final paving products for use on roads and parking lots.

  • EPA would continue to regulate asphalt cement, asphalt emulsions, and cutbacks, which are not HMA

• Material is unlikely to flow as a result of the entrained aggregate;

  • Not EPA's intent that roads, parking lots, or other asphalt projects would be part of a facility's SPCC Plan

• The RA would continue to have the authority to require an SPCC Plan, if necessary

Pesticide Application Equipment

- Exempt equipment includes:
  - Ground boom applicators
  - Airblast sprayers
  - Specialty aircraft that apply measured amounts of pesticides to crops and/or soil
  - Related mix containers
- Exemption applies to all pesticide application equipment and related mix containers, regardless of ownership or where used.

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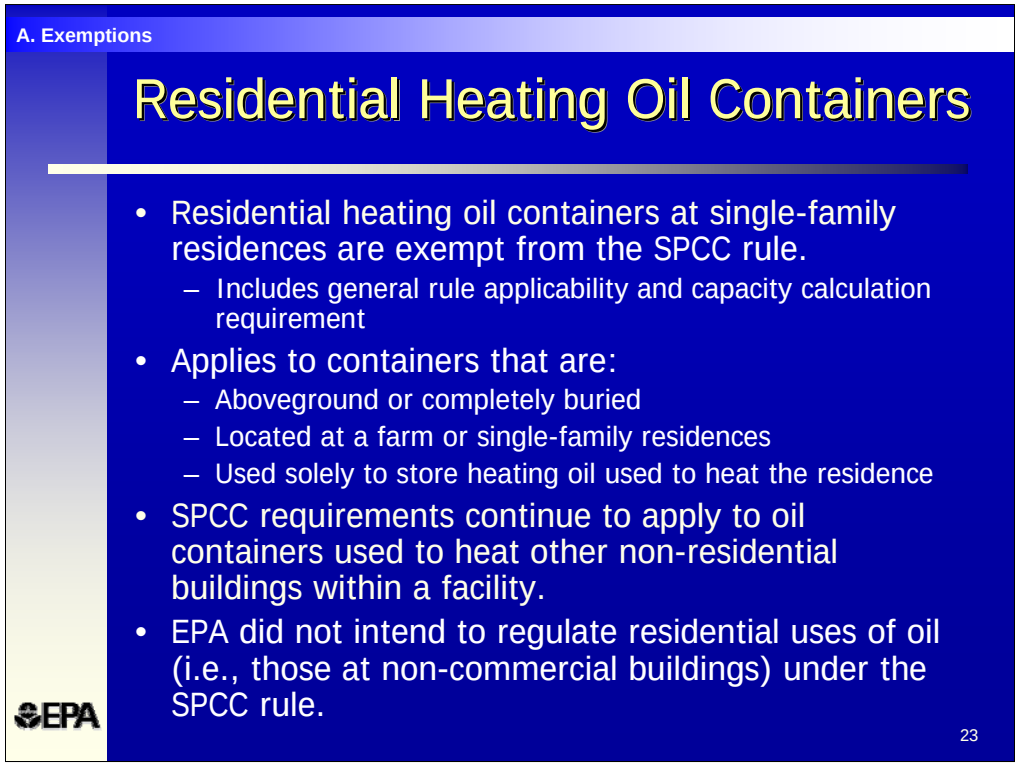
•Exempt pesticide application equipment and related mix containers from general applicability and capacity calculation

• This equipment includes:

- ground boom applicators
- airblast sprayers,
- specialty aircraft that are used to apply measured quantities of pesticides to crops and/or soil



•Exempts single-family residential heating oil containers from general applicability and capacity calculation

• Applies to containers that:

- are aboveground or completely buried
- are located at a farm or other single-family residence
- are used solely to store heating oil used to heat the residence

• EPA did not intend to regulate residential uses of oil (i.e., those at non-commercial buildings) under the SPCC rule

USTs at Nuclear Power Generation Facilities

- EPA is exempting USTs that:
  - are deferred under 40 CFR part 280,
  - supply emergency diesel generators at nuclear power generation facilities licensed by Nuclear Regulatory Commission (NRC), and
  - meet the NRC design criteria and quality assurance criteria.
- This exemption includes both tanks that are completely buried and tanks that are below-grade and vaulted (but can't be visually inspected).
- NRC sets certain criteria to cover the design, fabrication, installation, testing and operation of structure, systems, and components.
  - Requirements may be similar or more stringent than those associated with the SPCC rule.
- Certain actions necessary to comply with SPCC rule could be impracticable at NRC facilities.

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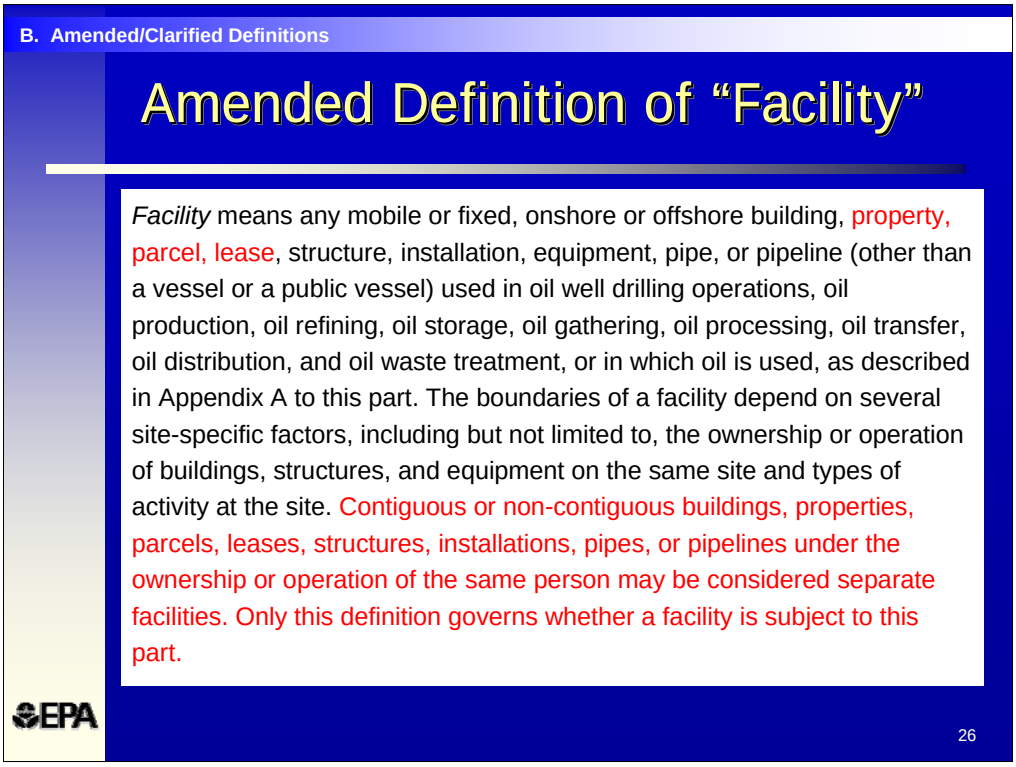
•The amended definition of facility:

- clarifies that the definition of facility alone governs SPCC applicability
- clarifies that non-contiguous parcels may be considered separate facilities
- includes terms “property”, “parcel”, and “lease” and to clarify what can be used in determining facility boundaries
- (These are terms that are familiar to production and farm sectors)
- adds the qualifier “oil” before the term “waste treatment”

• EPA provides, in preamble, examples of how a facility can aggregate or separate their operations to determine the “facility” boundaries



2009 additional rule text appears in red.

Definition of Loading/Unloading Rack

- EPA is finalizing a definition for loading/unloading rack which governs whether a facility is subject to §112.7(h).
  - Term "rack" replaces "area" throughout §112.7(h) requirement.
  - Provides clarity on applicability of the provision.

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Definition of Loading/Unloading Rack

Loading/unloading rack means a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility subject to the requirements of this part. A loading/unloading rack includes a loading or unloading arm, and may include any combination of the following: piping assemblages, valves, pumps, shut-off devices, overfill sensors, or personnel safety devices.

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Loading Arm

- Loading/unloading arm is a key component of a loading/unloading rack.
- A loading/unloading arm is typically a movable piping assembly that may include fixed piping or a combination of fixed and flexible piping, typically with at least one swivel joint (that is, at least two articulated parts that are connected in such a way that relative movement is feasible to transfer product via top or bottom loading/unloading to a tank truck or rail car).
- Certain loading/unloading arm configurations present at loading racks may include a loading/unloading arm that is a combination of flexible piping (hoses) and rigid piping without a swivel joint. In this case, a swivel joint is not present on the loading arm because flexible piping is attached directly to the rigid piping of the loading arm and the flexible hose provides the movement needed to conduct loading or unloading operations in lieu of the swivel joint.

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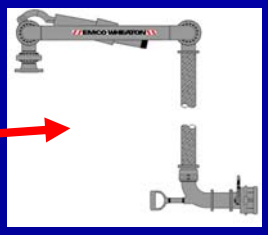
Loading Arm

Look for the loading arm



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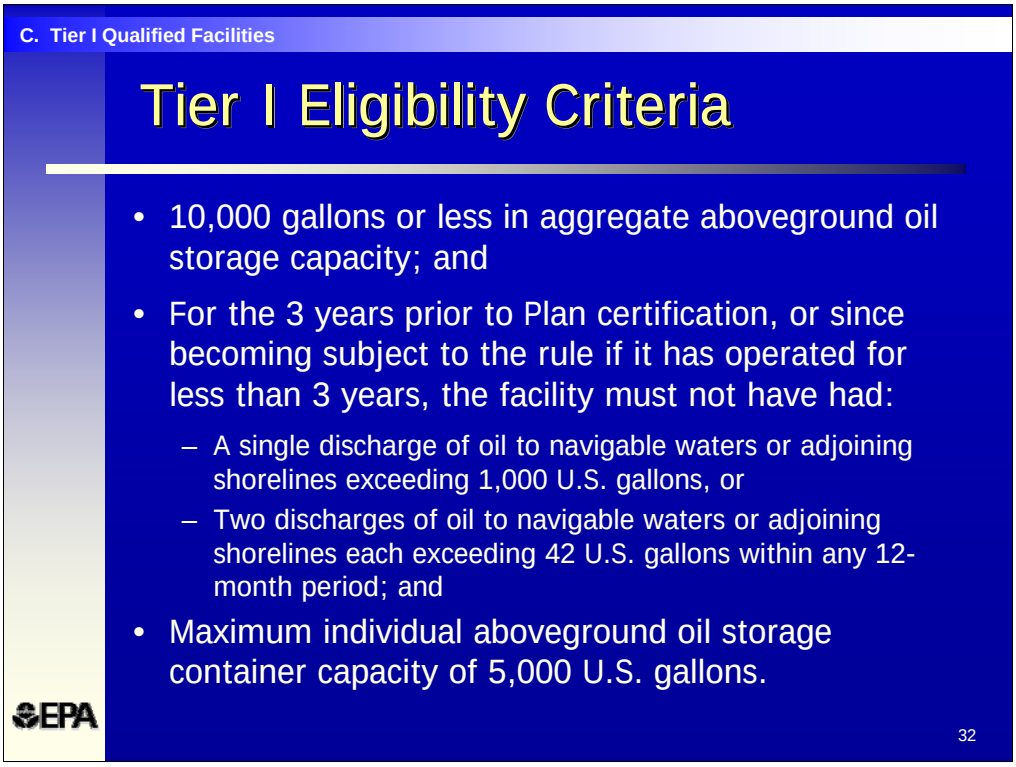
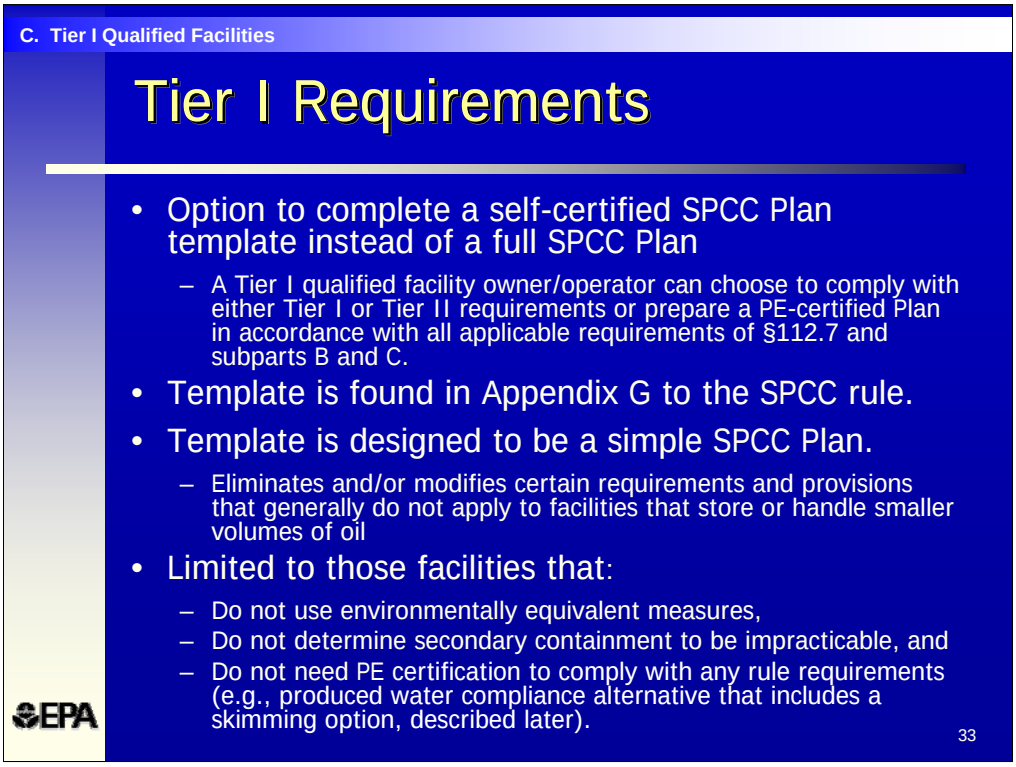
• Qualified facilities were addressed in the December 2006 amendments

• Amendments further streamline and tailor the SPCC requirements for a subset of "Tier I" qualified facilities

• "Tier I" qualified facilities have less complicated operations and facility characteristics (e.g., may have few low capacity oil containers and some mobile/portable containers, few oil transfers, little to no piping)



- Meet the 2006 qualified facility eligibility criteria:
    - 10,000 gallons or less in aggregate aboveground oil storage capacity
    - For the 3 years prior to Plan certification, or since becoming subject to the rule if it has operated for less than 3 years, the facility must not have had:
        - A single discharge of oil to navigable waters exceeding 1,000 U.S. gallons, or
        - Two discharges of oil to navigable waters each exceeding 42 U.S. gallons within any 12-month period
            - not counting discharges as described in §112.1(b) that are the result of natural disasters, acts of war, or terrorism
            - Only discharge amounts reaching navigable waters count towards these gallon amounts
- Maximum individual oil storage container capacity of 5,000 U.S. gallons



• Revisions provide an option to complete a self-certified SPCC Plan template in lieu of a full SPCC Plan

• Template is designed to be a simple SPCC Plan

  • Includes only the requirements that should apply to this tier of regulated facilities

  • Eliminates and/or modifies certain requirements and provisions that generally do not apply to facilities that store or handle smaller volumes of oil

• Template is finalized as Appendix G to the SPCC rule

• Limited to those facilities that do not use environmentally equivalent measures and that do not determine secondary containment to be impracticable

Summary: Qualified Facilities Applicability

If the facility has…	And…	And the facility has…	Then:
10,000 U.S. gallons or less aggregate aboveground oil storage capacity;	Within any twelve-month period, three years prior to the Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, there has been: (1) No single discharge of oil to navigable waters or adjoining shorelines exceeding 1,000 U.S. gallons; and (2) No two discharges of oil to navigable waters or adjoining shorelines each exceeding 42 U.S. gallons in any 12 -month period	No individual aboveground oil containers greater than 5,000 U.S. gallons;	**Tier I:** Complete and self-certify Plan template (Appendix G to 40 CFR part 112) in lieu of a full PE-certified Plan.
		Any individual aboveground oil container greater than 5,000 U.S. gallons;	**Tier II:** Prepare self-certified Plan in accordance with all applicable requirements of §112.7 and subparts B and C of the rule, in lieu of a PE-certified Plan.

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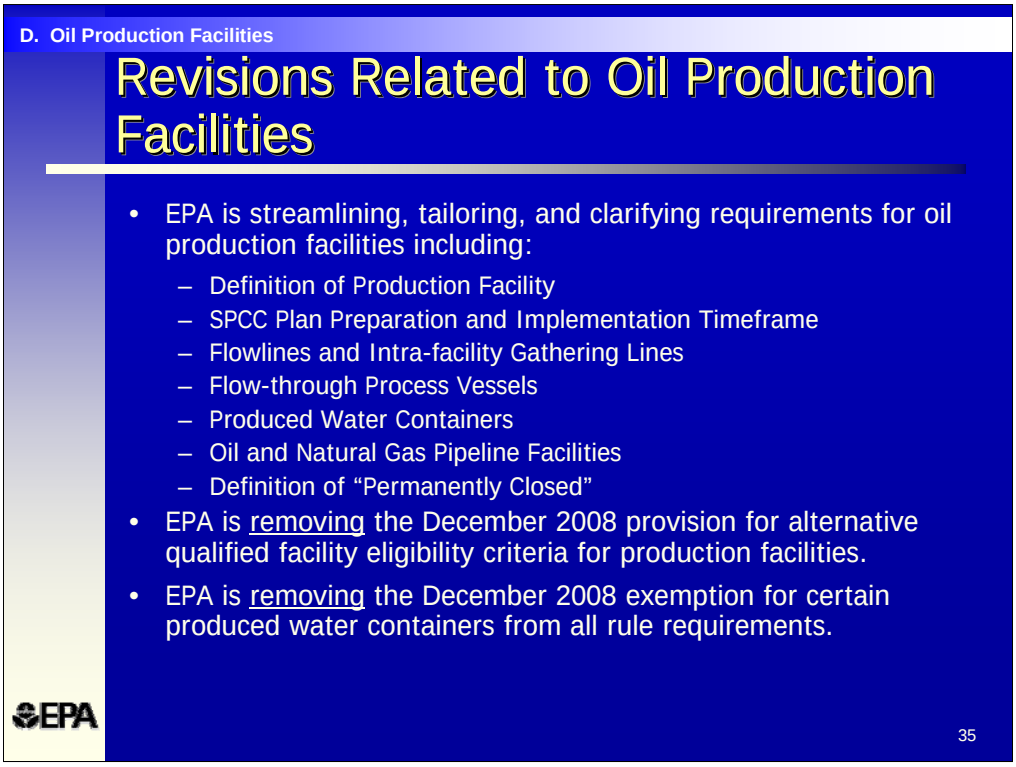

• Since its original promulgation in 1973, the SPCC rule has included differentiated requirements for oil production facilities, as compared to other types of facilities

• Based on issues brought forth by the regulated community and other federal agencies (e.g., Department of Energy), EPA has further streamlined, tailored, and clarified some SPCC requirements for oil production facilities

•The alternative qualified facility eligibility criteria for an oil production facility **that were removed** were: (1) no more than two producing wells per single tank battery if the facility has an injection well; or no more than four producing wells per single tank battery with no injection wells at the facility; (2) each well produces no more than ten barrels of crude oil per day; and (3) the facility has not had a single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons or two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to Plan certification, or since becoming subject to 40 CFR part 112 if the facility has been in operation for less than three years.

Definition of Production Facility

- Revision clarifies that the definition of “production facility” is used to determine which sections of the rule apply at a particular facility (e.g., §112.9).
- Revised definition is consistent with the revision to the definition of “facility”.
- Clarifies the flexibility allowed in determining the boundaries of the facility.

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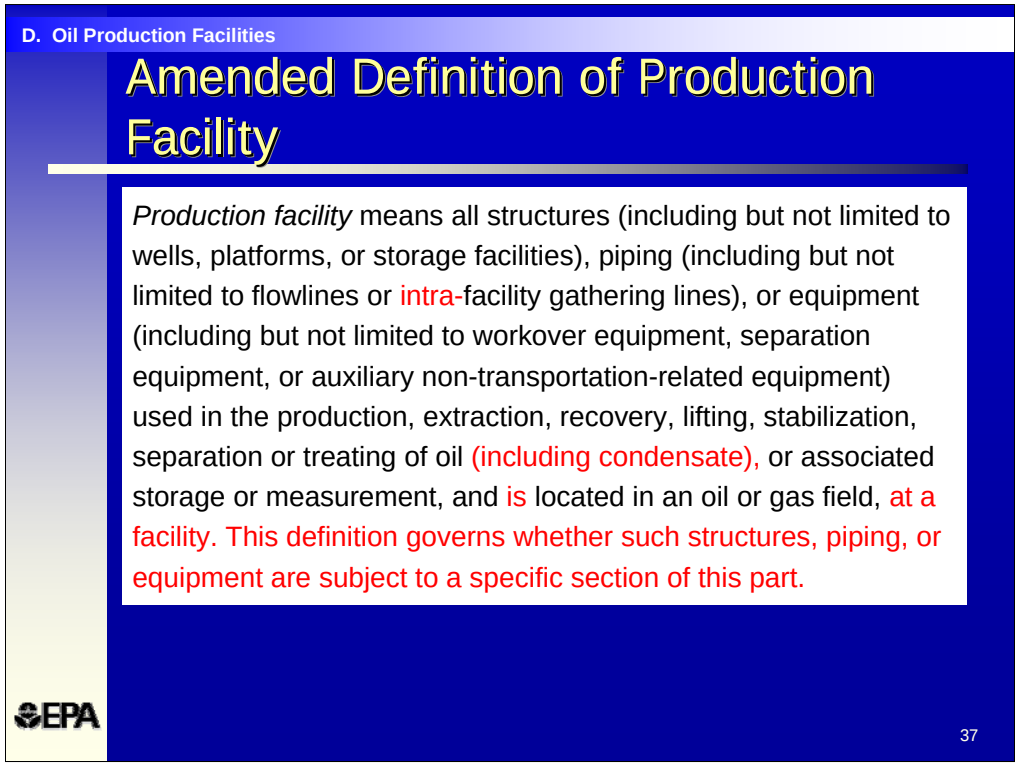

2009 additional rule text appears in red without brackets. Deleted rule text is red, underlined and in brackets.

SPCC Plan Preparation and Implementation Timeframe

- A new oil production facility has six months after the start of operations to prepare and implement an SPCC Plan.
  - A new production facility is one that becomes operational after November 10, 2010.
  - "Start of operations" is indicated by the start of well fluid pumping, transfer via flowlines, separation, treatment or storage of crude oil, or other oil storage in capacities greater than the SPCC applicability threshold.
- The timeframe was chosen because oil production facilities are likely to stabilize within six months after the start of operations.
  - Applicable only to oil production facilities, because of their uniquely variable and uncertain initial flowrates

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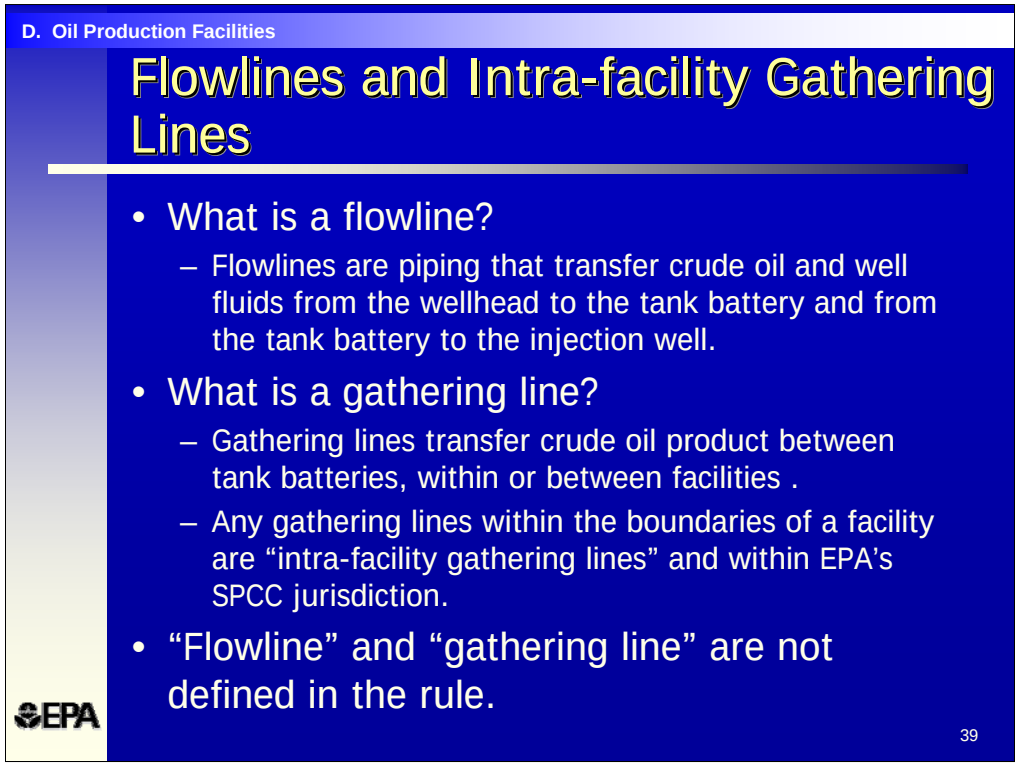

• Exempts flowlines and intra-facility gathering lines from the secondary containment requirements under the SPCC rule

• Flowlines transfer oil and well fluids from the wellhead to the tank battery

• Gathering lines transfer the crude oil product between tank batteries, within or between facilities

• Any gathering lines within the boundaries of a facility are “intra-facility gathering lines” and within EPA’s SPCC jurisdiction

• Providing secondary containment for these pipelines can be difficult and expensive for an owner/operator because these lines are often several miles long, buried, and can extend far from the main facility

Flowlines and Intra-facility Gathering Lines - Requirements

- Instead of secondary containment for flowlines and intra-facility gathering lines, amended rule requires:
  - Contingency plan;
  - Written commitment of manpower, equipment, and materials; and
  - Flowline/intra-facility maintenance program meeting the new rule requirements.
- New requirements are optional.
- Gathering lines that are subject to the DOT regulatory requirements at 49 CFR parts 192 or 195 are exempt from the SPCC requirements.

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Flow and Intra-Facility Gathering Line Maintenance Program

- Requirements for flowline and intra-facility gathering line maintenance program were made more specific for all facilities:
  - Compatibility with production fluids and conditions expected in the operational environment
  - Visual inspection and/or testing on a periodic and regular schedule
    - Frequency and type of testing must allow for the implementation of a contingency plan if there is no secondary containment
  - Corrective action or repairs
  - Prompt removal or initiation of actions to stabilize and remediate any accumulations of oil discharges

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Flow-through Process Vessels

- What is a flow-through process vessel at an oil production facility?
  - Has the primary purpose of separating the oil from other fractions (water and/or gas) and sending the fluid streams to the appropriate container
  - Can be horizontal or vertical separation vessels (e.g., heater-treater, free-water knockout, gun-barrel, etc.)
- EPA has finalized a new compliance option for this type of equipment.

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Flow-through Process Vessels - Requirements

- Instead of sized secondary containment for flow-through process vessels, amended rule requires:
  - Visual inspection and/or testing on a periodic and regular schedule
  - Corrective action or repairs
  - Prompt removal or initiation of actions to stabilize and remediate any accumulations of oil discharges
- General secondary containment requirements still apply.

However, if your facility discharges more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or discharges more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period, from flow-through process vessels (excluding discharges that are the result of natural disasters, acts of war, or terrorism) then, within six months, comply with sized secondary containment and inspection requirements under §112.9(c)(2) and (c)(3) for all flow-through process vessels.

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Definition of "Produced Water Container"

Produced water container means a storage container at an oil production facility used to store the produced water after initial oil/water separation, and prior to reinjection, beneficial reuse, discharge, or transfer for disposal.

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Produced Water Container Alternative Compliance Requirements

- In lieu of providing sized secondary containment for produced water containers, a facility owner/operator can:
  - Have a PE certify a procedure for each produced water container that is designed to separate the free-phase oil that accumulates on the surface of the produced water, that is implemented on a regular schedule;
  - Conduct visual inspections, maintenance and corrective action;
- General secondary containment requirements still apply
- If the facility discharges more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or discharges more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period, from any produced water container (excluding discharges that are the result of natural disasters, acts of war, or terrorism) then, within six months, comply with sized secondary containment and inspection requirements under §112.9(c)(2) and (c)(3) for all produced water containers.

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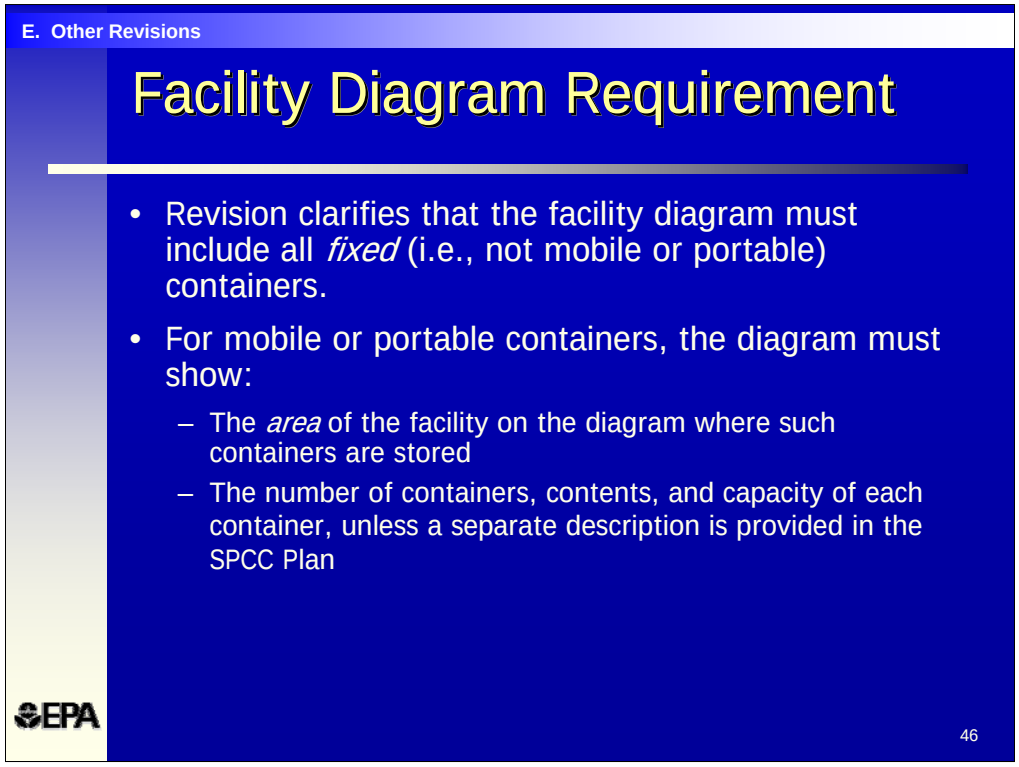

• Rule clarifies that the facility diagram must include all *fixed* (i.e., not mobile or portable) containers

• Rule simplifies facility diagram by allowing for a general description of the location and contents of mobile or portable containers rather than representing each container individually

Revision to General Secondary Containment Requirement

- Clarifies that the general secondary containment requirement is intended to address the *most likely oil discharge* from any part of a facility
- Allows active and passive secondary containment

New text: "… In determining the method, design, and capacity for secondary containment, you need only to address the typical failure mode, and the most likely quantity of oil that would be discharged. Secondary containment may be either active or passive in design."

- Modifies §112.7(c) to expand the list of example prevention systems for onshore facilities
  - Additional examples: drip pans, sumps, and collection systems

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Non-Transportation-Related Tank Trucks

- In 2006, EPA exempted mobile refuelers from the sized secondary containment requirements applicable to bulk storage containers.
- This exemption is now extended to non-transportation-related tank trucks at a facility subject to the SPCC rule.
- Does not include mobile/portable containers that generally operate in fixed locations at a facility
- The general secondary containment requirements still apply

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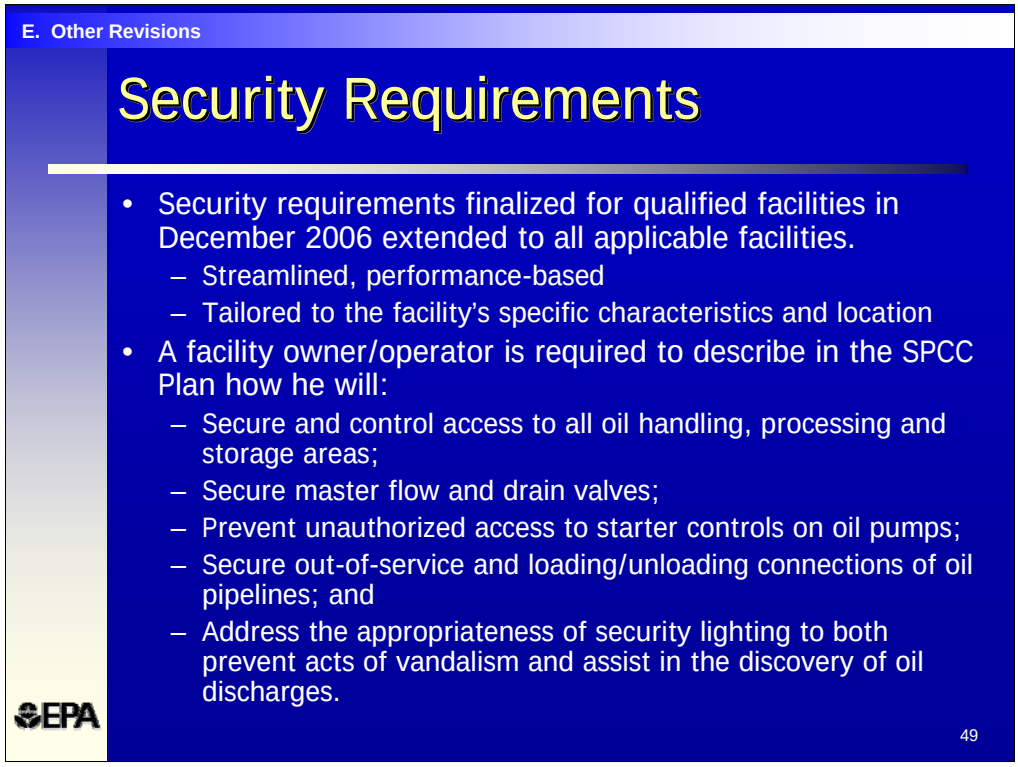
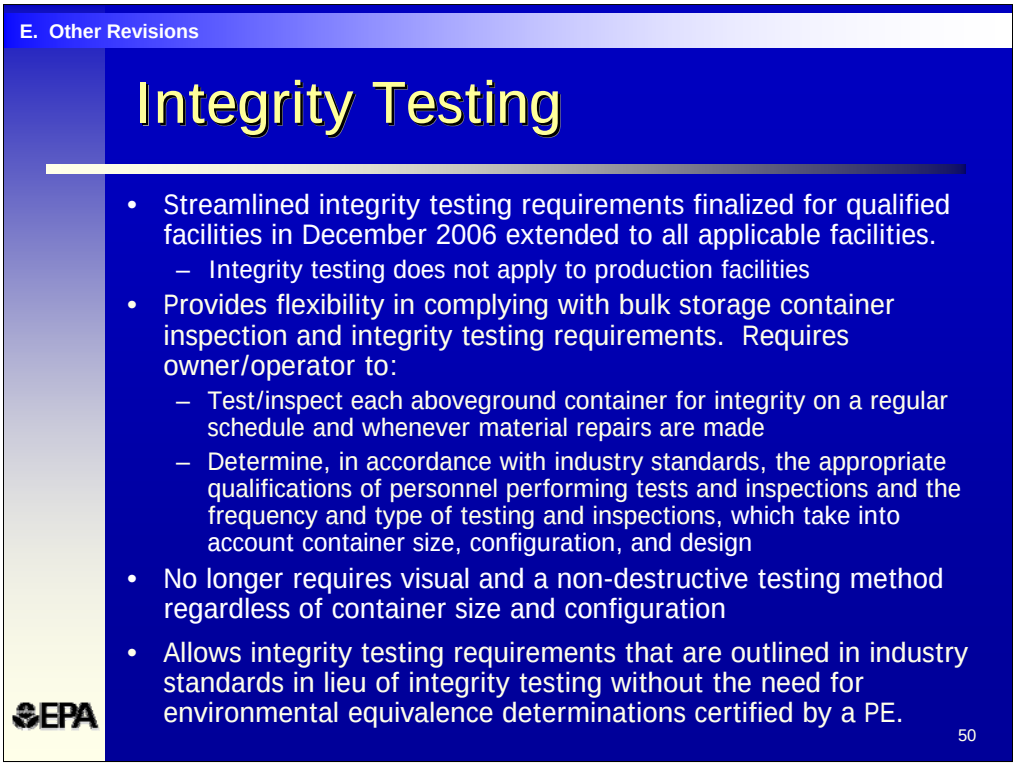


•Revisions modify security requirements for facilities to make them consistent with requirements qualified facilities (as finalized in December 2006)

- More streamlined, performance-based
- Tailored to the facility's specific characteristics and location



•Modifies the integrity testing requirements for all facilities to make them consistent with requirements for qualified facilities (as finalized in the December 2006)

• Provides flexibility in complying with bulk storage container inspection and integrity testing requirements

• Allows an owner or operator to consult and rely on industry standards to determine the appropriate qualifications for tank inspectors/testing personnel and the type/frequency of integrity testing required for a particular container size and configuration

• Enables facilities to easily adjust Plans to reflect changes in industry standards

Differentiated Integrity Testing Requirement for AFVOs

- Provides the flexibility to use a visual inspection program for integrity testing as appropriate for containers that store animal fats/vegetable oils (AFVOs) that meet certain criteria as appropriate.
- Facility owner or operator is required to document procedures for inspections and testing in the SPCC Plan.

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AFVO Eligibility Criteria

- Differentiated integrity testing requirements apply to bulk storage containers that:
  - Are subject to the applicable sections of the Food and Drug Administration (FDA) regulation 21 CFR part 110, *Current Good Manufacturing Practice in Manufacturing, Packing or Holding Human Food;*
  - Are elevated;
  - Are made from austenitic stainless steel;
  - Have no external insulation; and
  - Are shop-built.
- AFVO containers that meet the eligibility criteria already have environmentally equivalent measures in place for integrity testing.
  - Owners/operators do not need to state reasons for nonconformance with the current integrity testing requirements.

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Farm Nurse Tanks: Preamble Clarification

- Nurse tanks are mobile/portable containers used at farms to store and transport fuel for transfers to or from farm equipment and to other bulk storage containers.
- The definition of “mobile refueler” includes nurse tanks, as well as non-road licensed refueling equipment that are used to refuel farm equipment in the fields.
- Nurse tanks are exempt from sized secondary containment.
- Must meet general secondary containment requirements at §112.7(c)

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UST Oil Transfer Clarification

- A clarification to correct preamble language in the 2002 amendments that was inconsistent with the Agency's position regarding transfer activities from exempt containers.
- Transfer activities associated with an exempt UST, at an otherwise regulated SPCC facility, are covered and must be addressed in the SPCC Plan.
  - If a transfer to or from an exempt UST occurs across a loading/unloading rack (as defined in the amended rule) then the facility must comply with 112.7(h).
  - All other transfers/equipment (dispensers) must be addressed and meet the general secondary containment requirements.
  - Dispensers and racks are not part of a UST system and therefore SPCC regulated.

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Definition of "Permanently Closed": Preamble Clarification

- SPCC rule exempts any oil storage container that is permanently closed.
- *Permanently closed* means any container or facility for which:
  - (1) All liquid and sludge has been removed from each container and connecting line; and
  - (2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.
- Definition of "permanently closed" does not require a container to be removed from a facility.
  - Permanently closed containers may be brought back into use as needed for variations in production rates and economic conditions.
- Permanent closure requirements under the SPCC rule are separate and distinct from the closure requirements in regulations promulgated under Subtitle C of RCRA.

EPA

Manmade Structures: Preamble Clarification

- Certain manmade features may be taken into consideration in determining how to comply with SPCC requirements.
- SPCC Plan preparer can consider:
  - The ability of building walls and/or drainage systems to serve as secondary containment for a container.
    - Freeboard for precipitation not necessary if container is indoors
  - Indoor conditions that reduce external corrosion and potential for discharges, to develop a site-specific integrity testing and inspection program.

EPA

Wind Turbines: Preamble Clarification

- Wind turbines meet the definition of oil-filled operational equipment promulgated in the December 2006 SPCC rule amendments.
- Can take advantage of the alternative compliance option provided to qualified oil-filled operational equipment, in lieu of secondary containment:
  - Prepare an oil spill contingency plan and a written commitment of manpower, equipment, and materials, without having to make an individual impracticability determination; and
  - Establish and document an inspection or monitoring program designed to detect a discharge
- The design of the wind turbine may inherently provide sufficient secondary containment for its oil reservoirs.
  - As determined by a PE (or owner/operator of a qualified facility)

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Oil and Natural Gas Pipeline Facilities

- EPA is further clarifying the jurisdiction between EPA and DOT to address confusion within the regulated community and to note that future inter-Agency discussions in the appropriate forum on this issue will continue
- Owners and operators have questioned how to determine whether DOT and/or EPA regulatory requirements apply at facilities.
- To clarify jurisdiction, in February 2000, EPA and DOT signed a joint memorandum.
- Industry has raised questions and concerns about duplicative jurisdiction in the joint memorandum and for other oil storage containers and activities not specifically addressed by it.
- EPA will continue to work with DOT/PHMSA to provide such clarification and to minimize dual regulation, where appropriate.

EPA

Section 4.

Additional Information

National Response Center (NRC)

- Report all oil discharges to waters of the United States or adjoining shorelines to NRC at 1-800-424-8802.
- Federal government's centralized reporting center, which is staffed 24 hours a day by U.S. Coast Guard personnel
- Any person in charge of a vessel or an onshore or offshore facility must notify NRC immediately after he or she has knowledge of the discharge.
- NRC relays information to EPA or U.S. Coast Guard depending on the location of the incident.
- An On-Scene Coordinator evaluates the situation and decides if federal emergency response action is necessary.

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SPCC Reporting Requirements

- Some discharges must also be reported to EPA
  - Requirements found in §112.4(a)
  - Applies to facilities subject to the SPCC rule
- Report to the EPA Regional Administrator (RA) when there is a discharge of:
  - More than 1,000 U.S. gallons of oil in a single discharge to navigable waters or adjoining shorelines
  - More than 42 U.S. gallons of oil in each of two discharges to navigable waters or adjoining shorelines within a 12-month period
  - When making this determination it is the amount of the discharge in gallons that reaches navigable waters or adjoining shorelines (EPA considers the entire volume of the discharge to be oil for the purposes of these reporting requirements)
  - An owner/operator must report the discharge(s) to the EPA Regional Administrator within 60 days

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For More Information

- 2008 SPCC rule amendment Federal Register notice (73 FR 74236; December 5, 2008)
  - http://www.gpoaccess.gov/fr/
  - http://www.epa.gov/emergencies/spcc/
- Complete Oil Pollution Prevention regulation (40 CFR part 112)
  - http://www.gpoaccess.gov/cfr/
  - http://www.epa.gov/emergencies/lawsregs.htm
- EPA Emergency Management Web Site
  - www.epa.gov/emergencies
  - www.epa.gov/oilspill
- Superfund, TRI, EPCRA, RMP, and Oil Information Center
  - (800) 424-9346 or (703) 412-9810
  - TDD (800) 553-7672 or (703) 412-3323
  - www.epa.gov/superfund/resources/infocenter

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Questions and Answers

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Thank You

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Links to Additional Resources

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