

SPCC FACT SHEET

The following is a summary of the Spill Prevention Control and Countermeasure (SPCC) regulation originally enacted on January 10, 1974 under the Clean Water Act, 40 CFR, Part 112, and last revised in October 2010.

Who must have a plan? Any business that has bulk oil with an aggregate aboveground storage capacity of 1,320 gallons of oil or more per location. The key word is “capacity.” Regulations apply regardless of whether the tank is full or nearly empty. This regulation does not apply to facilities with underground storage tanks subject to state UST regulations.

What is Considered “Oil”? Any kind of oil in any form such as crude oil; refined petroleum products (gasoline & diesel fuel); sludge; waste oil; oil emulsions; lube oils; grease; fats, oils or greases from animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and other oils and greases, including synthetic oils and mineral oils.

What is Considered “Bulk Storage”? Any container with a capacity of 55 gallons or more. EPA has backed off from including fuel and lubricant capacity of mobile equipment on site, and would not include this in total capacity at this time.

Examples:	Is an SPCC Plan needed?
Client “A” has a 1,000 gallon tank of unleaded and 1,000 gallon tank of diesel in aboveground storage tanks. There are also ten 55-gallon drums of lube oil in the shop.	YES, the bulk storage capacity adds up to 2,550 exceeding the 1,320-gallon capacity.
Client “B” has a 1,000 gallon aboveground fuel tank. The shop has one 55-gallon drum of used oil and five 30-gallon drums of oils.	NO, the 30-gallon containers are not bulk storage and the 1,055 gallons of fuel and used oil doesn’t meet 1,320 gallon capacity.
Client “C” has one location with a 2,000 gallon tank, but never keeps more than 1,000 gallons in it. A second location in the same town has a 1,000 gallon tank, but never keeps more than 100 gallons in it.	YES, for the first location only. Remember to count gallons per contiguous location. Also remember, to count capacity, not what is normally kept in the tank. First location exceeds 1,320 gallons capacity, the second location does not.

When is the deadline? Existing SPCC plans must be revised to meet the 2009 regulatory changes by November 10, 2011. Facilities placed in service between August 16, 2002 and November 10, 2011 must have plans developed and implemented by November 10, 2011. **Facilities that meet the above criteria that were in service on or before August 16, 2002 and do not have SPCC plans are OUT OF COMPLIANCE.**

What are the fines for non-compliance? Fines can start at \$1,000 for not having an SPCC plan in place. This does not include possible fines from 68 other categories. Fines are normally assessed in proportion to the size of the facility.

What is in the SPCC Plan? The plan must include information on storage containers, maps and diagrams of the facility, secondary containment structures, flow patterns of site drainage, preventative measures, containment procedures, cleanup equipment and material, employee training, routine inspections and recordkeeping.

What are the certification requirements? If a facility has 10,000 gallons or less in aggregate aboveground oil storage capacity and meets the oil discharge criteria*, then an owner/operator of a facility may prepare a self certified plan instead of one reviewed by a Professional Engineer (P.E.). If a facility is over 10,000 gallons or fails to meet the oil discharge requirements, then the plan must be reviewed and certified by a P.E.

Will I have to have secondary containment for all my bulk oil? **YES.** The secondary containment must hold the contents of the largest container plus freeboard for precipitation if outdoors. Double-walled storage tanks do not need additional containment.

If I have secondary containment in place, do I still need an SPCC Plan? **YES.** You still must have the written plan with certification.

I don’t have containment where we load and unload trucks. What should I do? It may not be necessary to build a load pad or catch basin; however, if it is required, the structure must hold the largest single compartment of any truck loaded or unloaded. A recent rule clarification states that only facilities with “load racks” are required to have secondary containment for trucks.

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Do my employees need to be trained? **YES.** Employees handling oil products will need to be trained at least once a year. These employees must be trained on proper operation and maintenance of the bulk oil facility to prevent spills and the proper response to control, contain, and clean up a spill.

What are “multi-sector” inspections? Inspector’s who come to your facility for a particular purpose, may be armed with a “checklist” and have the authority to ask about other activities in your business that may be regulated. The inspector may be with federal EPA, a state agency or even the local government. Not only is it necessary to have your SPCC Plan in compliance, but you may be required to share other information with the inspector concerning:

- Tier II (Annual Chemical Inventory) Reporting,
- TRI (Toxic Release Inventory) Reporting
- Air Permits,
- Water (NPDES) Permits & Storm Water Pollution Prevention Plans (SWPPP)
- Underground Storage Tanks, and
- Hazardous Waste Generation

Who is RCI? RCI has been helping companies with regulatory issues since 1988. RCI is endorsed by numerous trade groups including the Agribusiness Association of Iowa, Nebraska Agri-Business Association, Missouri Ag Industries Council, Southwestern Association, Iowa-Nebraska Equipment Dealers Association, Northeast Equipment Dealers Association, and National Agriculture Aviation Association among others. RCI can help address the OSHA, EPA, DOT and state regulations that affect you.

Are Professional Engineers on Staff? Yes. RCI has Professional Engineers who have the expertise to advise, develop, complete, and update SPCC plans for your company. RCI Professional Engineers certify an SPCC plan only after site inspections have been made and written program completed.

How can RCI help? RCI has developed an SPCC program that meets the latest federal requirements, provides technical support and is accessible online - all at an economical price. RCI’s SPCC program includes:

- Online SPCC plan template
- On-site inspection
- P.E. certification
- Map drafting
- Toll-free technical support and guidance

What are the benefits to RCI’s program? The benefits of the RCI program over our competitors:

- Economical
- Facility and personnel changes are easily amended with online program
- RCI keeps your SPCC Plan up-to-date with regulatory changes as with 2002 and 2006 amendments
- All forms and checklists are built into the program
- RCI can easily re-certify your online plans every five years as required by law
- Toll-free assistance is available from RCI’s staff P.E.’s and customer service reps

* The facility must not have had (1) a single discharge of oil to navigable waters exceeding 1,000 U.S. gallons or (2) two discharges of oil to navigable waters each exceeding 42 U.S. gallons within any twelve-month period, in the three years prior to the SPCC Plan certification date, or since becoming subject to [Title 40, Part 112 of the Code of Federal Regulations \(CFR\)](#) if facility has been in operation for less than three years.

*If you have questions or want to schedule an inspection, please call the association office
(800)762-5616*