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Writing an SPCC Plan can be a Minefield

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Many are bewildered by the seemingly endless changes to the Spill Prevention Control and Counter (SPCC) rules put forth by the EPA. First there were the old where they would be implemented, then the date was extended.... and then....and then....and then.

So what is the story now and what does everyone have to do to comply?

The EPA has set a new date of July 1, 2009 for all to have the new SPCC plans developed and implemented for all facilities. But who needs an SPCC plan? All facilities that store over 1320 gallons of oil and also are close enough for a spill to reach “navigable water” must have an SPCC plan. So if your facility has over 1320 gallons of oil and is close enough to a creek, river, pond, lake, wetland or other body of “navigable water,” then you must have and SPCC plan.

The first step is to figure out what parts of the rule apply to your facility. First, part 112.7 applies to all facilities. Then you must determine if your facility is subject to one of the following:

- 1) onshore facility,
- 2) onshore oil production facility, or
- 3) onshore oil drilling and workover facility.

Correspondingly, there are also categories of offshore oil production facilities and offshore oil drilling and workover facilities. But, lets focus on the onshore portions of the rule.

The first part of the rules requires that each plan have several common elements. These partially include having a facility diagram, describing the facility, container inventory, container construction list, discharge controls, disposal of recovered oil, a response plan, prediction of flow and direction, containment structures, inspections, training, briefings, security (fencing and lighting) and tank railcar/truck loading,.

Basically, you are going to be either an onshore facility or an oil production facility. If your facility can be thought of as a tank battery, test station, or is just a single well, then your facility is most likely an “oil production facility.” If your facility is downstream of a tank battery or test station; or is used to process oil or petroleum liquids; then the facility is most likely an “onshore facility”.

“Facilities” have a long list of requirements in addition to the common requirements found in 112.7. These requirements, found in 112.8, address: berm drainage, states you must have a way to contain oil from all plant drainages, containers must be compatible with the contents, record keeping of diked area drainage, testing of containers, engineer containers to have alarms or cut off switches, protection of buried piping, pipe support design, inspection of piping, and the warning of vehicles to not endanger aboveground piping.

“Oil Production Facilities” are exempt from fencing and other security requirements found in Section 112.7 Section 112.9 covering “Oil Production Facilities” does require that container compatibility, berms around tanks, inspection of containers, “engineered” tank safety features (capacity, equalizing lines, vacuum hatches, or high level sensors), inspections and flowline maintenance.

One of the areas for much interpretation concerns secondary containment for piping and truck loading racks. First the rules require secondary containment for all piping. But the rules give us an “out” by allowing a statement of “impracticality.” Of course, if secondary containment is “impractical” then you must have a spill response plan and a written commitment of manpower as part of your SPCC plan.

Loading racks must have secondary containment for the single largest tank on the truck. You will also note that the SPCC rules talk about “transfer points” also. So what is the difference between a loading rack and a transfer point? Loading racks generally have pumps, meters, loading equipment. Much like you would see in a fuel terminal. On the other hand, transfer points can be thought of as a place where a truck drives up, connects a hose, pumps fluids out of a tank and then hauls to another location. Loading racks must have secondary containment (berms); transfer points do not.

SPCC plans can be optimized to reduce shelf space and reading time. You can develop a single spill response plan to address and group of facilities in a common area. If you have multiple sites in the same general area, you can put the general requirements in one section and then develop different chapters for each of the facilities containing specific requirements.

The two best references that we have found for the SPCC rules include the rule itself (<http://www.epa.gov/oilspill/pdfs/proposed122606.pdf>) and the EPA publication titled, “SPCC Guidance for Regional Inspectors” (http://www.epa.gov/oilspill/pdfs/guidance/SPCC_Guidance_fulltext.pdf). The latter contains example SPCC plans.