



California Environmental Protection Agency Unified Program

Fact Sheet
December 2007

Attachment 1 Spill Prevention Control and Countermeasure Plan Requirements U.S. Code of Federal Regulations, Title 40, Part 112

PREPARE SPCC PLAN

Prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112).

- i. Prepare an SPCC plan in accordance with good engineering practices. (*40 C.F.R. § 112.7*)
- ii. The SPCC plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the SPCC plan. (*40 C.F.R. § 112.7*)
- iii. You must prepare the SPCC plan in writing. (*40 C.F.R. §§ 112.3 and 112.7*)
- iv. If you do not follow the sequence specified in this section for the SPCC plan, you must prepare an equivalent SPCC plan that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. (*40 C.F.R. § 112.7*)
- v. If the SPCC plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, you must discuss these items in separate paragraphs, and must explain separately the details of installation and operational start-up. (*40 C.F.R. § 112.7*)
- vi. Include a discussion of your facility's conformance with the requirements listed in this part. (*40 C.F.R. § 112.7(a)(1)*)
- vii. Comply with all applicable requirements listed in this part.
 1. Your SPCC plan may deviate from the requirements in paragraphs (g), (h)(2) and (3), and (i) of this section and the requirements in subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and sections 112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c), where applicable to a specific facility, if you provide equivalent environmental protection by some other means of spill prevention, control, or countermeasure. (*40 C.F.R. § 112.7(a)(2)*)
 2. Where your SPCC plan does not conform to the applicable requirements in paragraphs (g), (h)(2) and (3), and (i) of this section, or the requirements of subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and sections 112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c), you must state the reasons for nonconformance in your SPCC plan and describe in detail alternate methods and how you will achieve equivalent environmental protection. If the Regional Administrator determines that the measures described in your SPCC plan do not provide equivalent environmental protection, he may require that you amend your SPCC plan, following the procedures in sections 112.4(d) and (e). (*40 C.F.R. § 112.7(a)(2)*)
- viii. Describe in your SPCC plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each container. (*40 C.F.R. § 112.7(a)(3)*)
 1. The facility diagram must include completely buried tanks that are otherwise exempted from the requirements of this part under section 112.1(d)(4). (*40 C.F.R. § 112.7(a)(3)*)
 2. The facility diagram must also include all transfer stations and connecting pipes. (*40 C.F.R. § 112.7(a)(3)*)

ix. You must also address in your SPCC plan:

1. The type of oil in each container and its storage capacity; (40 C.F.R. § 112.7(a)(3)(i))
2. Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, etc.); (40 C.F.R. § 112.7(a)(3)(i))
3. Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge; (40 C.F.R. § 112.7(a)(3)(ii))
4. Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor); (40 C.F.R. § 112.7(a)(3)(iii))
5. Methods of disposal of recovered materials in accordance with applicable legal requirements; and (40 C.F.R. § 112.7(a)(3)(iv))
6. Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate federal, state, and local agencies who must be contacted in case of a discharge as described in section 112.1(b). (40 C.F.R. § 112.7(a)(3)(v))

x. Provide information and procedures in your SPCC plan to enable a person reporting a discharge as described in section 112.1(b) to relate information on the exact address or location and phone number of the facility; the date and time of the discharge, the type of material discharged; estimates of the total quantity discharged; estimates of the quantity discharged as described in section 112.1(b); the source of the discharge; a description of all affected media; the cause of the discharge; any damages or injuries caused by the discharge; actions being used to stop, remove, and mitigate the effects of the discharge; whether an evacuation may be needed; and, the names of individuals and/or organizations who have also been contacted. (40 C.F.R. § 112.7(a)(4))

xi. Organize portions of the SPCC plan describing procedures you will use when a discharge occurs in a way that will make them readily usable in an emergency, and include appropriate supporting material as appendices. (40 C.F.R. § 112.7(a)(5))

xii. Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your SPCC plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure. (40 C.F.R. § 112.7(b))

xiii. Provide appropriate containment and/or diversionary structures or equipment to prevent a discharge as described in section 112.1(b). (40 C.F.R. § 112.7(b))

1. The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the containment system before cleanup occurs. (40 C.F.R. § 112.7(c))
2. At a minimum, you must use one of the following prevention systems or its equivalent:

a. For onshore facilities:

- i.) Dikes, berms, or retaining walls sufficiently impervious to contain oil; (40 C.F.R. § 112.7(c)(1)(i))
- ii.) Curbing; (40 C.F.R. § 112.7(c)(1)(ii))
- iii.) Culverting, gutters, or other drainage systems; (40 C.F.R. § 112.7(c)(1)(iii))
- iv.) Weirs, booms, or other barriers; (40 C.F.R. § 112.7(c)(1)(iv))
- v.) Spill diversion ponds; (40 C.F.R. § 112.7(c)(1)(v))
- vi.) Retention ponds; or (40 C.F.R. § 112.7(c)(1)(vi))
- vii.) Sorbent materials. (40 C.F.R. § 112.7(c)(1)(vii))

- b. For offshore facilities:
 - i.) Curbing or drip pans; or (40 C.F.R. § 112.7(c)(2)(i))
 - ii.) Sumps and collection systems. (40 C.F.R. § 112.7(c)(2)(ii))
- xiv. If you determine that the installation of any of the structures or pieces of equipment listed in paragraphs (c) and (h)(1) of this section, and sections 112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c) to prevent a discharge as described in section 112.1(b) from any onshore or offshore facility is not practicable, you must clearly explain in your SPCC plan why such measures are not practicable; (40 C.F.R. § 112.7(d))
 - 1. For bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping; and, unless you have submitted a response plan under section 112.20, provide in your SPCC plan the following:
 - a. An oil spill contingency plan following the provisions of part 109 of this chapter. (40 C.F.R. § 112.7(d)(1))
 - b. A written commitment of man power, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful. (40 C.F.R. § 112.7(d)(2))

CONDUCT PERIODIC INSPECTIONS

Conduct periodic inspections to assure compliance with 40CFR112 (inspections, tests, and records).

- i. Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. (40 C.F.R. § 112.7(e))
 - 1. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC plan for a period of three years. (40 C.F.R. § 112.7(e))
 - 2. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph. (40 C.F.R. § 112.7(e))

IMPLEMENT SPCC PLAN

Implement SPCC plan in compliance with 40CFR112.

- i. *Personnel, training, and discharge prevention procedures.*
 - 1. At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC plan. (40 C.F.R. § 112.7(f)(1))
 - 2. Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management. (40 C.F.R. § 112.7(f)(2))
 - 3. Schedule and conduct discharge prevention briefings for your oil-handling personnel at least once a year to assure adequate understanding of the SPCC plan for that facility. Such briefings must highlight and describe known discharges as described in section 112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures. (40 C.F.R. § 112.7(f)(3))

ii. *Security (excluding oil production facilities).*

1. Fully fence each facility handling, processing, or storing oil, and lock and/or guard entrance gates when the facility is not in production or is unattended. (40 C.F.R. § 112.7(g)(1))
2. Ensure that the master flow and drain valves and any other valves permitting direct outward flow of the container's contents to the surface have adequate security measures so that they remain in the closed position when in non-operating or non-standby status. (40 C.F.R. § 112.7(g)(2))
3. Lock the starter control on each oil pump in the "off" position and locate it at a site accessible only to authorized personnel when the pump is in a non-operating or non-standby status. (40 C.F.R. § 112.7(g)(3))
4. Securely cap or blank-flange the loading/unloading connections of oil pipelines or facility piping when not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure. (40 C.F.R. § 112.7(g)(4))
5. Provide facility lighting commensurate with the type and location of the facility that will assist in the:
 - a. Discovery of discharges occurring during hours of darkness, both by operating personnel, if present, and by non-operating personnel (the general public, local police, etc.); and (40 C.F.R. § 112.7(g)(5)(i))
 - b. Prevention of discharges occurring through acts of vandalism. (40 C.F.R. § 112.7(g)(5)(ii))

iii. Facility tank car and tank truck loading/unloading rack (excluding offshore facilities). (40 C.F.R. § 112.7(h)(1))

1. Where loading/un-loading area drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading and unloading areas. (40 C.F.R. § 112.7(h)(1))
 2. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility. (40 C.F.R. § 112.7(h)(1))
 3. Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system in loading/un-loading areas to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines. (40 C.F.R. § 112.7(h)(2))
 4. Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit. (40 C.F.R. § 112.7(h)(3))
- iv. If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, then evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action. (40 C.F.R. § 112.7(i))
- v. In addition to the minimal prevention standards listed under this section, include in your SPCC plan a complete discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in this part or any applicable more stringent State rules, regulations, and guidelines. (40 C.F.R. § 112.7(j))

FOR MORE INFORMATION

For additional information, visit U.S. Environmental Protection Agency's Web site at <http://www.epa.gov/oilspill/spcc.htm>.