
Federal Spill Prevention, Control, and Countermeasure (SPCC) Regulation - Title 40 CFR Part 112

Ask Yourself:

- Do you use or store petroleum or other oils, or products that contain oil, at your facility?
- Do you use oil to heat the building or any of the equipment at the facility?
- Do you have tanks for oil storage, including heating oil tanks?
- What are the sizes of the containers that you use to store oil?
- Do you know if there is any water body, such as a lake, river, stream, wetland, close to the farm?
- Do you know how rainwater drains from the property and where it drains to?
- Do you have any written procedures for petroleum spills that occur on the property?



If any of the questions applied to you and your farm operation, you should be aware of the SPCC Regulation.

Regulatory Summary

The purpose of the Spill Prevention, Control & Countermeasure (SPCC) www.epa.gov/emergencies/content/spcc/index.htm regulation is to prevent oil discharges into waters of the U.S. This regulation is found in the Oil Pollution Prevention regulation (Title 40 of the Code of Federal Regulations, Part 112 – 40 CFR 112). The focus of the regulation is to prevent the spills, rather than spill contingency measures that are needed after an incident. This regulation took effect in 1973.

Do I need to comply?

An SPCC plan is required if:

- 1. The facility is non-transportation related.** This could include facilities such as industrial, commercial, agricultural, or facilities that use or store oil (product or waste).
and
- 2. Aboveground oil storage capacity that aggregates greater than 1,320 gallons** (when considering any container that are 55 gallons or greater) or below ground oil storage capacity and not 42,000 gallons or greater. You must count all containers used to store the oil that are in use, prior to use, or prior to further distribution. Completely buried underground storage tanks (UST) already subject to the VT Underground Storage Tank (UST) regulations (40 CFR 280 and 281) do not count.
and

3. There is a potential that discharges from the facility could reach navigable waters. The definition of navigable waters includes all waters used for interstate or foreign commerce, but also includes wetlands, lakes, ponds, wet meadows, etc. Basically any natural surface water in the U.S. is covered under of the SPCC (as well as the Clean Water Act). These discharges can be from spilling, pumping, pouring, emptying, dumping, emitting, or leaking containers.

Note:

- 1,320 gallons is equivalent to 24 full 55-gallon drums of oil.
- UST certified underground tanks are exempt from SPCC.
- You must count the potential storage capacity of all on-site oil containers, whether they contain virgin product or used oil.

What is “Oil”?

Oil includes a variety of substances that are petroleum and non-petroleum based. Examples of oils and oil-containing products include, but are not limited to:

Petroleum Based Oils	Non-Petroleum Oils	Oil-containing Products
Gasoline	Animal-based oil	Oil-based paints
Diesel Fuel	Vegetable oil	Oil-based thinners
Motor oil (used or new)	Biofuels	Oil-based inks
Heating oil	Seed oil	Petroleum-based parts
Jet/aviation fuels	Nut oil	Roofing tar
Hydraulic fluid	Fruit & Kernel oils	



How do I comply?

Facilities must write and implement spill prevention and control measures in their SPCC Plans. A spill “contingency” plan is required as part of the SPCC Plan if a facility is unable to provide secondary containment (e.g., berms surrounding the oil storage tank) for all storage.

Upcoming Workshops and Guidance Document

The VT DEC Environmental Assistance Office is drafting a Guidance Document on the SPCC regulations and will make available a Model SPCC plan and Template through these workshops. Updates on these outreach materials can be accessed through our web site at: www.eaovt.org/sbcap/index.htm

Do I need to comply with Aboveground Storage Tank Standards?

Aboveground Storage Tanks (ASTs) are subject to additional design and construction standards. Although not regulated under a comprehensive state program they are subject

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 Farm Show Special Edition. 01/2008

to a number of standards and regulations at the federal, state, and local level. All ASTs are potentially subject to the SPCC program (as explained above). In addition, they may also be subject to portions of the Clean Air Act (CAA), the Emergency Planning and Community Right-to-Know Act (EPCRA), the Resource Conservation and Recovery Act (RCRA), and other programs. For more specifics, refer to Guidance Documents from the VT DEC Environmental Assistance Office. www.eaovt.org

Grants, Loans, and Clean-up Reimbursement

Uninsured releases from ASTs are now covered by the Petroleum Clean-up Fund (PCF) for up to \$25,000 for corrective action. Grants of up to \$1,000 are available for the removal of on premises heating oil ASTs at residences and farms. The loans are at zero percent interest, repayable within ten years. Applications are processed similar to a bank loan and collateral and/or personal guarantee is required. For more information visit the UST web site: www.anr.state.vt.us/dec/wastediv/ust/USTloans.htm or call 802-241-3871.

For more detailed information on SPCC regulations, contact:

EPA Region I

Don Grant, SPCC Program Administrator
(617) 918-1768 or (888) 392-7341 toll-free

For guidance on this and other environmental compliance, contact:

VT DEC Small Business

Compliance Assistance Program

Judy Mirro, Compliance Specialist

judy.mirro@state.vt.us

802-241-3745 or 1-800-974-9559, ext 2

www.eaovt.org/sbcap/index.htm



This fact sheet provides a general overview of regulatory requirements. It is not all-inclusive and does not describe specific local requirements. Its purpose is to provide guidance on key provisions so that a farm may recognize potential applicability.

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Farm Show Special Edition. 01/2008