

Spill Prevention, Control, and Countermeasure (SPCC) Rule

The Environmental Protection Agency's (EPA) 40CFR Part 112 Spill Prevention, Control, and Countermeasure (SPCC) Rule establishes requirements regarding petroleum product use and storage at industrial facilities in order to prevent releases of these products (typically oil or fuels) into navigable waters. This rule was developed under the EPA's Oil Pollution Prevention regulation under the Clean Water Act.

There are three elements to determining if a facility must comply with the SPCC rule:

- Operations and activities involving petroleum products,
- Capacity of petroleum products on site, and
- Potential for discharge into navigable waters.

The SPCC rule includes facilities that store, use, process, or refine oils. This rule does not apply to operations for the purpose of moving oil from one location to another (transportation); those activities are covered under the 49CFR Department of Transportation Hazardous Materials regulations instead. Examples of activities that are covered by the SPCC rule include:

- Oil well drilling and production;
- Facilities using or storing oil; and
- Vehicles and pipeline systems used to transport oil exclusively within a facility.

Companies that perform any of the above listed operations may be subject to this rule if it has a total aboveground storage capacity greater than 1,320 gallons and/or a total buried capacity of 42,000 gallons. Total storage capacities must be calculated by determining the total shell capacity of any container greater than or equal to 55 gallons, whether or not the container actually holds the full capacity.

The third determination factor in whether or not a company must comply with this rule is if the company has the potential to discharge oil or fuels into navigable waters including streams, rivers, and other potential pathways to waters including ditches, gullies, and storm sewers that may transport an oil spill to nearby waters. In order to determine if your company has the potential to discharge into navigable waters, a company must evaluate areas around their facility where a release of oil could result in contamination of waterways. This determination must be made without regard to man-made structures such as berms or dikes and must also take into consideration the potential for runoff from precipitation.

Companies that meet these three criteria must prevent oil spills and comply with the SPCC rule by implementing a SPCC Plan.

The SPCC Plan must include the following elements:

- Safe oil handling and operating procedures;
- Control measure used to prevent oil spills;
- Countermeasures to contain any spills and to mitigate the effects of the spill.

Handling and operating procedures should include engineering and work-practice controls and employee training that is appropriate to the operations being performed. Additionally, employees should be trained on the elements in place that are used to prevent and control releases from storage and use locations.

Oil spills can be prevented by using containers that are in good condition and suitable for the oil stored within, providing overfill protection for containers such as tanks, and providing secondary containment around tanks and containers where oil spills are most likely to occur. Frequent

inspections of oil storage and use locations should be included in the plan and be conducted and documented.

The SPCC plan must also detail the steps taken in the event of a release including spill equipment and containment, spill clean-up and spill reporting procedures. A detailed list of emergency contacts and their corresponding numbers should also be provided in the plan and posted in the facility.

Once the SPCC Plan is prepared by the facility, the plan must also be certified. The SPCC plan may be able to be self-certified, or may have to be certified by a licensed Professional Engineer (PE).

A facility can self-certify the SPCC Plan if the total aboveground oil storage capacity is 10,000 gallons or less and the facility has not had a single discharge of oil exceeding 1,000 gallons in the past three years or two discharges exceeding 42 gallons to navigable waters in the past 12 months.

If the facility does not fall under the self-certification criteria listed above, the SPCC plan must be certified by a PE that is familiar with the EPA's SPCC rule, has visited the facility, and is confident that the facility has implemented and documented feasible engineering and administrative controls to prevent and control releases.

For additional information or questions regarding SPCC applicability or plans for your workplace, please don't hesitate to utilize our "[Ask the Expert](#)" Feature.

Other useful resources include:
Environmental Protection Agency ([EPA](#))