

USEPA SPCC Basics for Federal Facility Managers Webinar



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Fed Center

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Office of Emergency Management - HQ



Logistics

- Breaks, as needed
- Katie will review the software
- Certificates

Katie Garvey

Host, me

Chat

To: Everyone



A Quick Chat Box Poll

What role do you play in
the federal government
relative to oil spill
prevention?

Please use the chat
function.



Legal Disclaimer

This presentation is meant to provide an overview to EPA inspectors, owners and operators of facilities of regulated, and the general public on the implementation of the Spill Prevention, Control, and Countermeasure (SPCC) rule (40 CFR Part 112). This presentation seeks to promote nationally-consistent implementation of the SPCC rule. The statutory provisions and EPA regulations described in this presentation contain legally binding requirements. This presentation does not substitute for those provisions or regulations, nor is it a regulation itself. In the event of a conflict between the discussion in this presentation and any statute or regulation, this presentation is not controlling. This presentation does not impose legally binding requirements on EPA or the regulated community, and might not apply to a particular situation based upon the circumstances. The word “should” as used in this presentation is intended solely to recommend or suggest an action, and is not intended to be viewed as controlling. Examples in this presentation are provided as suggestions and illustrations only. While this presentation indicates possible approaches to assure effective implementation of the applicable statute and regulations, EPA retains the discretion to adopt approaches on a case-by-case basis that differ from this presentation where appropriate. Any decisions regarding compliance at a particular facility will be made based on the application of the statute and regulations. References or links to information cited throughout this presentation are subject to change. Rule provisions and internet addresses provided in this guidance are current as of September 2023. This presentation may be revised periodically without public notice.

Welcome Federal Facilities & Associates



Agenda



SPCC Overview (Mark)

SPCC Inspection Process (Joe and Mark)

Open Q&A Session

Please feel free to take a break as needed

We plan to take breaks on the hour

Please feel free to ask questions using the chat box during the open Q&A session ...There is no bad question...

Questions provided during registration will appear as a comment bubble

Oil Regulations

- 40 CFR part 112 - Oil Pollution Prevention regulation
 - Specifies requirements for prevention of, preparedness for, and response to oil discharges
 - Spill Prevention, Control, and Countermeasure (SPCC)
 - Includes requirements for Facility Response Plans (FRPs)
- 40 CFR part 110 – Discharge of Oil (sheen rule)
 - Prohibition of oil discharge
 - Reporting requirements
 - Establishes harmful quantity

1.2.6 Compliance Date Amendments

- EPA extended the compliance dates for facilities to update (or for new facilities to prepare) and implement an SPCC Plan
 - Eight times, 2003-2011
 - Guidance summarizes each of these extensions.
- New production facilities have six months to develop and implement their SPCC Plan
- **All compliance dates are in the past.**
 - If the owner or operator of a facility does not have an SPCC Plan, must develop a Plan immediately.
 - Plan must comply with all amendments to the rule.

All other facilities starting operation...	Must...
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than November 10, 2011
After August 16, 2002 through November 10, 2011	Prepare and implement an SPCC Plan no later than November 10, 2011
After November 10, 2011 (excluding oil production facilities)	Prepare and implement an SPCC Plan before beginning operations
After November 10, 2011 (oil production facilities)	Prepare and implement an SPCC Plan within six months after beginning operations.

SPCC Guidance

- EPA issued Version 2.0 of the SPCC guidance on **August 28, 2013**
- This presentation focuses on the *substantive* changes since the previous version.

*This presentation is not intended to serve as training on the entire SPCC rule, but rather focuses on the **new or revised content and structure of the Guidance.***



SPCC Rule Applicability

The SPCC rule applies to a **facility** that meets the following criteria:

- 1 Drills, produces, gathers, stores, processes, refines, transfers, distributes, uses, or consumes
- 2 oil and oil products; and
- 3 Is **non-transportation-related** (i.e. facility is not exclusively covered by DOI or DOT); and
- 4 Can reasonably be expected to discharge oil in **quantities that may be harmful** into or upon the **navigable waters** of the U.S. or adjoining shorelines; and
- 5 Meets **capacity thresholds**
 - Aboveground storage > 1,320 gallons; or
 - Completely buried storage > 42,000 gallons

What is the main requirement for FAA facilities?

If a site is not impacted by the Federal Clean Water Act (e.g., no discharge to a 'waters of the U.S.', is it required to comply with this requirement)

See: <https://www.epa.gov/wotus>

We have a 200 gallon bowser that is only used when vehicle maintenance has to decant the diesel from the truck to do maintenance. When the bowser has fuel it is kept in an area with secondary containment. When the maintenance is complete the fuel is put back in the vehicle and the bowser is moved back to an area without secondary containment. The Bowser is always stored in this location empty. Do the regulations require this empty bowser to have secondary containment? Does this empty bowser require monthly inspections? Why would one have to inspect a tank that is stored empty for months and months at a time?

Some of our facility managers oversee multiple sites within a half mile, or quarter mile of each other, not adjacent. What is the distance/separation guideline between storage points for requiring sites to aggregate the total storage of fuel? For example, the main office has a back-up generator with 600 gallons of fuel. A quarter mile away, the same manager has another generator with 600 gallons of fuel. At what distance should they be treated independent versus aggregate.

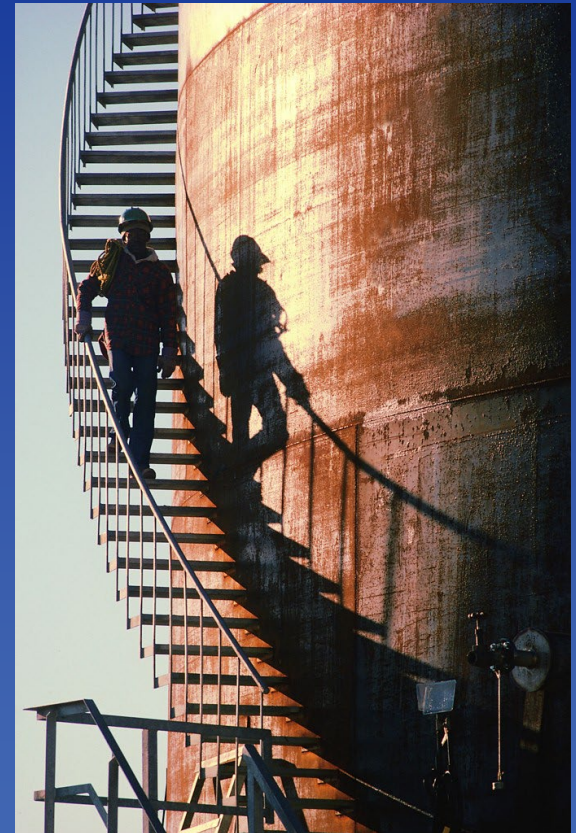
Do areas with storage drums, IBC tanks need to be included in the SPCC plan? If so, how would you treat each container compared to an AST? (Are secondary containment rules the same? Would each drum be considered an AST, or would the total volume of drums in an area be tracked as one AST?)

Exemptions to SPCC Applicability

- Current exemptions to the SPCC rule include
 - Underground storage tanks subject to UST tech requirements
 - Wastewater treatment facilities
 - Motive power containers
- Exemptions in the 2008 amendments include
 - Hot-mix asphalt (HMA)
 - Residential heating oil containers (ASTs and USTs)
 - Pesticide application equipment
 - USTs at nuclear power generation facilities
 - Intra-facility gathering lines subject to the requirements of 49 CFR part 192 or 195

§112.3 Prepare and Implement a Plan

- The facility owner/ operator must prepare an SPCC Plan:
 - In writing
 - In accordance with §112.7 and any other applicable sections of 40 CFR part 112
- Compliance dates to prepare, amend, and implement an SPCC Plan



Can an Integrated Contingency Plan replace both the Facility Response Plan
and the SPCC?

Professional Engineer Certification

- A licensed PE must review and certify a Plan and technical amendments
- The certification does not relieve the owner/operator of his duty to prepare and fully implement a Plan
- Qualified facilities may opt to self-certify Plans in lieu of PE-certification.
 - This will be discussed during the overview of 112.6
 - Some states do not allow self-certification of SPCC Plans



§112.4 Amendment of SPCC Plan by Regional Administrator

Notify Regional Administrator

- Submit specific information to the RA if the facility discharged:
 - More than 1,000 gallons of oil in a single discharge as described in §112.1(b)
 - More than 42 gallons of oil in each of two discharges as described in §112.1(b) within a 12-month period
 - The gallon amount (42 or 1,000) refers to the amount of oil that reaches navigable waters which is reportable under 40 CFR 110
- No action necessary until one of the above triggering events
- Still required to report to NRC in accordance with 40 CFR part 110
- More to information presented in part 2 of webinar

§112.5 Amendment of SPCC Plan by Owners or Operators

- For changes in facility design, construction, operation, or maintenance that materially affect the potential for a discharge as described in §112.1(b)
 - Commissioning and decommissioning containers
 - Replacement, reconstruction, or movement of containers
 - Reconstruction, replacement, or installation of piping systems
 - Construction or demolition that might alter secondary containment structures
 - Changes in product or service
 - Revision of operating or maintenance procedures
- Amend within 6 months; implement ASAP, but no later than 6 months after amendment

Plan Review



- Complete review and evaluation of Plan
 - Once every 5 years from the date facility becomes subject to the rule
 - If a facility was in operation on or before 8/16/2002, five years from the date of your last review required by the rule
 - Does not always require a PE
- Amend Plan within 6 months to include more effective prevention and control technology
- Implement ASAP, but no later than 6 months of amendment

Does the 5 year review get changes to the new plan date if the plan is re-written with significant changes or does it still revert to the original date of the initial plan?

Is it required to have an engineer write the review of the SPCC plan every 5 years or can it be reviewed by the manager if there are no amendments?

§112.6 Qualified Facility Plan Requirements

- Smaller oil storage facility that is eligible for streamlined regulatory requirements
 - Self-certified SPCC Plan instead of one reviewed and certified by a Professional Engineer
- Must meet eligibility criteria to use alternative option
- 2008 amendments divided this group of facilities into tiers

Tier Options for Qualified Facilities Self-Certification

- Facilities must first qualify for this option
 - Clean spill History (back three years, 2-42 gallon or 1000)
 - 10,000 gallons or less of **AST** facility capacity
- Tier II
 - All qualified facilities are Tier II
 - Full SPCC with no PE certification of Plan (self cert)
 - EPA can request a PE Plan
- Tier I
 - Qualified facilities that have no AST larger than 5,000 gallons
 - Facilities can use the rule's Appendix G template
 - Reduced requirements (Tier II cant use the template)
- Self certification issues
 - State Law
 - The attestation for facilities

§112.7 General Requirements for SPCC Plans

Plan Format

- Prepare in writing and according to good engineering practice
- Approval of management with authority to commit resources to fully implement the Plan
- For procedures, methods, and equipment that are not yet fully operational:
 - Discuss in separate paragraphs
 - Explain separately the details of installation and start-up

How specific should site maps be in relation to oil source locations??

Will this training meet all of the requirements for "oil handling personnel" on my site? Will it meet the refresher requirements for annual training?



SPCC Requirements for Onshore Bulk Storage Facilities (§112.8)

§112.8 SPCC Requirements for Onshore Facilities

- Outlines specific requirements (in addition to general requirements in §112.7) for **onshore facilities** (excluding production facilities) regarding:
 - Facility drainage
 - Bulk storage containers
 - Containment drainage requirements
 - Facility transfer operations, pumping, and facility process



NAME THAT TANK....FOR \$1,000

Convert-a-zontals

15-12-02

Specific (Sized) Secondary Containment Requirements

- Areas where certain types of containers, activities, or equipment are located may be subject to additional, more stringent, containment requirements
- Sized to largest tank or tanker compartment with freeboard for a rain event
- EPA does not specify a freeboard requirement
 - 110% rule of thumb and 25 year 24 hour storm event
- Specific minimum size requirement for secondary containment for the following areas:
 - Loading/unloading racks (no freeboard requirements)
 - Bulk storage containers
 - Mobile or portable bulk storage containers
 - Production facility bulk storage containers, including tank batteries, separation, and treating vessels/equipment

Please clarify the requirements for secondary containment volume and rules applicable to emptying those containments. Also, should facilities leave caps open when extreme weather conditions are expected?

Secondary containment for grease dumpsters

Regularly Scheduled Integrity Testing

- Applies to:
 - Large (field-constructed or field-erected) and small (shop-built) aboveground bulk storage containers
 - Aboveground bulk storage containers on, partially in (partially buried, bunkered, or vaulted tanks) and off the ground wherever located
 - Aboveground bulk storage containers storing any type of oil
 - Examples: mobile/portable containers, drums, totes



*What containers at a facility are **not** subject to integrity testing provisions?*

A lot of questions come up about monthly inspections for mobile containers (AGE, Bowsers), genset belly tanks, and OFOE.

Overfill Protection

- Follow good engineering practices to avoid discharges from container installations
- Provide at least one of the following devices:
 - High liquid level alarms
 - High liquid level pump cutoff
 - Direct audible or code signal communication between container gauger and pumping station
 - Fast-response system for determining liquid level of each bulk storage container, with person present to monitor
- Regularly test liquid level sensing devices (follow manufacturers specifications)



25 15:26

Piping Installations

- Buried piping installed after **August 16, 2002** must be:
 - Protectively wrapped and cathodically protected; or
 - Satisfy the corrosion protection provisions for piping in 40 CFR parts 280 or 281 (state program)
- Requirement applies to all soil conditions
- Exposed piping must be inspected for corrosion
- Take corrective action if corrosion damage



Piping Installations (continued)

- Conduct regular inspections of all aboveground valves, piping, and appurtenances
 - Assess general condition of items such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces
- Conduct integrity and leak testing of **buried piping** at time of installation, modification, construction, relocation, or replacement
- Cap or blank-flange piping
- Signs to prevent pipe strikes
- Properly designed piping supports

The background of the slide is a photograph of an oil pumpjack (jackal) in silhouette against a dramatic sunset sky. The sun is low on the horizon, creating a bright orange glow and long, soft shadows. The pumpjack's long arm is extended upwards and to the right. The text is overlaid on the right side of the image in a bold, yellow, sans-serif font with a thin white outline.

SPCC Requirements for Oil Production, Drilling and Workover Facilities (§112.9-10)

General Requirements Applicable to ALL Facilities

- Production facilities must meet general requirements under §112.7
 - Except the security requirement (§112.7(g))
 - Except general containment requirement (§112.7(c)) for certain flowlines and gathering lines



§112.9 SPCC Requirements for Onshore Production Facilities

- Outlines specific requirements (in addition to general requirements in §112.7) for onshore production facilities regarding:
 - Facility drainage
 - Bulk storage containers
 - Facility transfer operations, pumping, and



SPCC Plan Preparation and Implementation Timeframe

- A new oil production facility has six months after the start of operations to prepare and implement an SPCC Plan.
 - A new oil production facility is one that becomes operational after November 10, 2010 (offshore or FRP) or November 10, 2011 (onshore).
 - “Start of operations” is indicated by the start of well fluid pumping, transfer via flowlines, separation, treatment or storage of crude oil, or other oil storage in capacities greater than the SPCC applicability threshold.

Bulk Storage Containers at Production Facilities

Container
compatibility
(§112.9(c)(1)):

Do not use a container
for the storage of oil
unless its material and
construction are
compatible with the
material stored and the
conditions of storage



Equalizing Line





Flowlines and Intra-facility Gathering Lines

- What is a flowline?
 - Flowlines are piping that transfer crude oil and well fluids from the wellhead to the tank battery **and** from the tank battery to the injection well.
- What is a gathering line?
 - Gathering lines transfer crude oil product between tank batteries, within or between facilities.
 - Any gathering lines within the boundaries of a facility are “intra-facility gathering lines” and within EPA’s SPCC jurisdiction.
 - Gathering lines often originate from an oil production facility’s lease automatic custody transfer (LACT) unit.
- “Flowline” and “gathering line” are not defined in the rule.



Flowlines and Gathering Lines



Onshore Drilling and Workover Requirements



Onshore Drilling and Workover Requirements



- Meet general requirements listed under 40 CFR 112.7, and:
- Position or locate mobile drilling or workover equipment so as to prevent a discharge *§112.10(b)*

Onshore Drilling and Workover Requirements

- Provide catchment basins, reserve pits, or diversion structures to contain any spill of oil or oily fluids (drilling mud)



§112.10(c)

Onshore Drilling and Workover

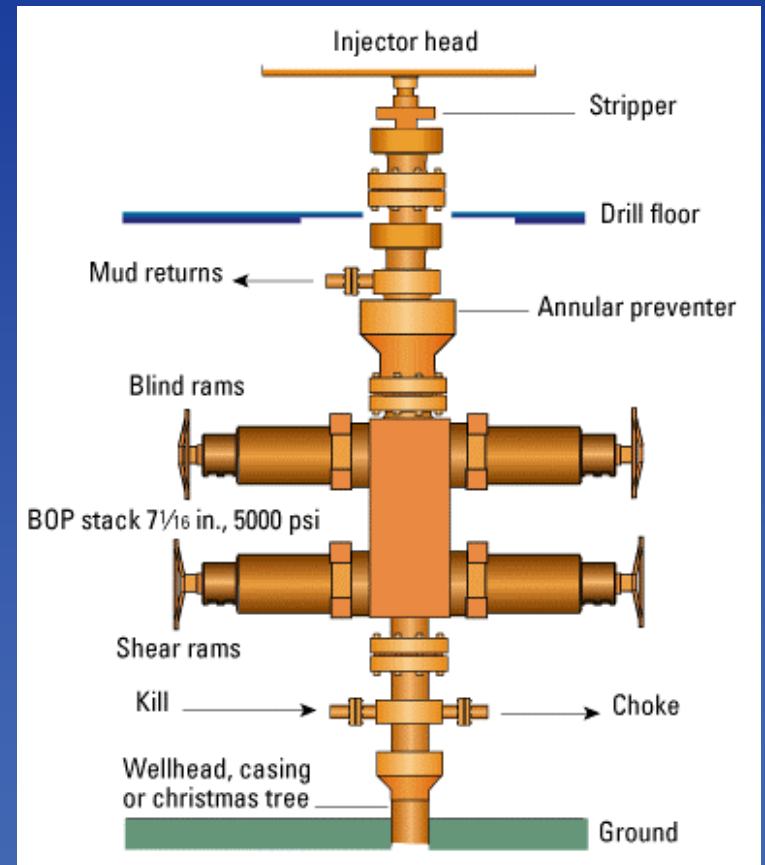
- No specific sizing requirement, and no freeboard requirement for secondary containment



§112.10(c)

Onshore Drilling and Workover

- Install a Blow Out Prevention (BOP) assembly and well control system
- The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered



§112.10(d)

Safety Moment

Oil Production and Exploration



H_2S



DO NOT ENTER





Now we will turn thing over to
Joe in Region 1



Federal SPCC Inspection Process

Joe
Canzano

R1



Triggering Events Initiating Inspections



Referrals (State or Local)



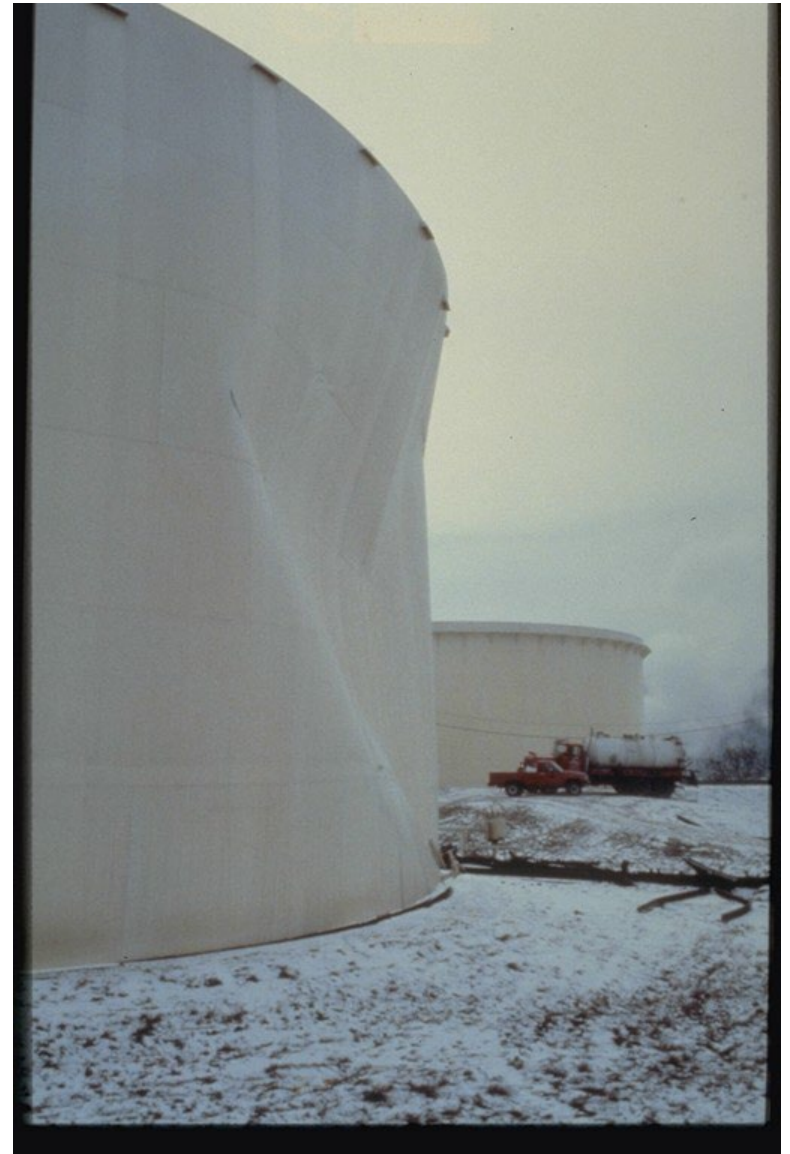
Oil Discharges (Spills)



Multi-Media Inspections



Facility Incident



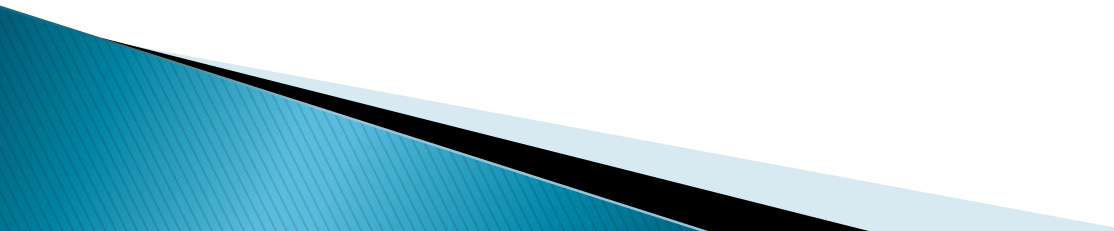
Targeted Outreach with Compliance Monitoring



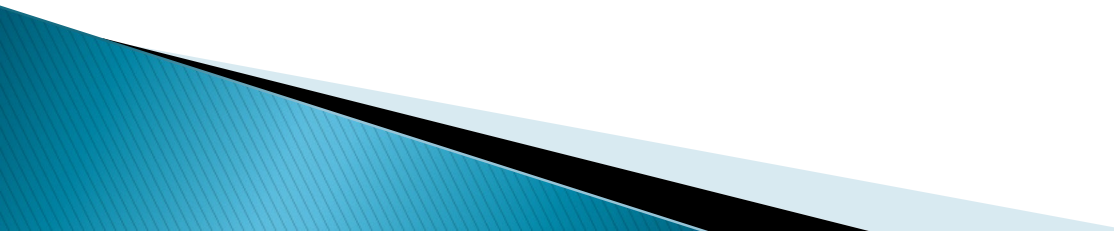
Inspection Process



Roles of the Inspector

- ▶ Official Agency representative
 - ▶ Fact finder
 - ▶ Technical authority
 - ▶ Enforcement case developer (in some cases)
 - ▶ Enforcement presence
 - ▶ Technical educator
- 

General Categories of Inspections

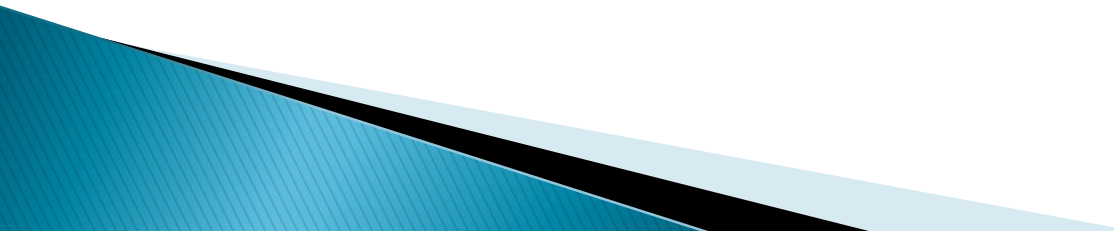
- ▶ Routine compliance (part of planned inspection program)
 - ▶ “For cause” in response to suspected spill or violation
 - ▶ Case development support or follow-up
 - ▶ Multi-media and technical assistance
- 

Inspection Notice Types

▶ Unannounced Inspections


- Knock Knock! Who's there? EPA. EPA Who?
- EPA Inspectors are authorized to enter any facility during normal business hours
- Legal basis for entry under 40 CFR part 112 is Clean Water Act (Sections 308 and 311[m])
- May be longer due to onsite Plan review

▶ Announced Inspections

- May request of SPCC Plan in advance
 - Facilitates coordination and cooperation
 - Allows for applicable records to be available for review at time of inspection
- 

What to expect during a SPCC Inspection

Overview

- ▶ Opening conference
 - ▶ Discussion of facility operations and site specific SPCC elements
 - ▶ Use of detailed SPCC checklist
 - ▶ Review of Plan onsite
 - ▶ Records review
 - ▶ Facility walk-through
 - ▶ Closing conference
 - ▶ Follow-up
 - ▶ In certain cases, enforcement
- 



Inspections at Federal Facilities

- EPA monitors environmental compliance at federal facilities to determine whether federal facilities, like private entities, comply with applicable environmental laws administered by EPA
- Compliance monitoring activities also allow EPA to identify ways the agency can assist federal facilities in achieving and maintaining compliance.
- The overall goal of the program is to achieve and maintain high rates of compliance at federal facilities.





Inspections at Federal Facilities

How Big is Uncle Sam's "Footprint"?

- 30,000 + Installations covering approximately 29% of America's territory.
- 900,000 Buildings.
- 600,000 Vehicles.
- 1.8 Million Civilian Employees
- Federal Government buys good and services at an annual rate of \$500 billion.
- DOD and DOE make up about 33%, while Civilian Federal Agencies 60% (DOT, NASA, VA, DHS)





Inspections at Federal Facilities

Reasons for Inspection

- Flooding/Spill Event
- Overfilling/Spill Event
- Accident/Spill Event
- Program Review
- Tip/Complaint



Offutt Air Force Base, Nebraska



Fairhaven Shipyard, Massachusetts



Irving Oil, Massachusetts



Inspections at Federal Facilities

Reasons for Inspection

Where Are They?



While federal facilities can be found in all 50 states and U.S. territories, some areas of the country have more than others.

More in the Eastern Parts of U.S.



Inspections at Federal Facilities

Reasons for Inspection



Cape Canaveral Airforce Station
NASA's Space Center - Florida

Carcinogenic chemicals Used in launching of
space vehicles



Army's Aberdeen Proving Ground – Maryland

Mustard Gas Storage & toxic materials in DOD's arsenal of
chemical weapons

1989, DOJ prosecuted several civilian federal works for
unlawfully storing and disposing of chemicals.



Inspections at Federal Facilities

Examples of Types of Federal Facilities

GOGO: Government Owned/Government Operated

Where the government manages all day-to-day activities on property owned by the government, e.g., military bases

GOCO: Government Owned/Contractor Operated

Where the government owns the facility and the contractor manages all or a portion of the facility, e.g., Contractor manufactures and test military equipment on a military base.

POGO, GOPO, Leases: Privately-owned/government-operated, Government-owned/private operated – facilities with various levels of private party involvement at federal facility. Some agencies lease land or sites on federal lands to private parties, e.g., vendors at National Parks.





Inspections at Federal Facilities

Types of Oil Inspections Under the Oil Pollution Prevention Regulations Inspections are Crucial to Enforcement

- Spill Prevention, Control and Countermeasure Plan
- Facility Response Plan
- Government-Initiated Unannounced Exercise
- Program Site/Facility Evaluation

Factors EPA's Inspector Considers when Conducting an Inspection at a Federal Facility



- Environmental management at Federal Facilities can be a daunting task considering complexity and quantity of environmentally regulated areas.
- Inspector takes into consideration size, complexity, number of facility activities & operations.
- Administrative structure of the facility, i.e., who is responsible and for what.
- Is there an Environmental Management System – do you have one in place?
- Site security, and notification and access, i.e., announced versus unannounced.
- Taking photographs and/or collecting evidence at FF that require top secret clearance.
- In-briefing and de-briefing, i.e., Base Commander or Facility Manager

EPA inspectors do not provide Personal Information or allow Credentials to be Copied



Inspections at Federal Facilities

EPA inspectors are encouraged to provide Compliance Assistance

Examples

- Copies of Environmental Statutes or Regulations
- Prepare Literature on Pollution Prevention
- Environmental Management Practices
- Innovative Technologies & Compliance Assistance Resources



<https://www.fedcenter.gov/> Federal government's home for comprehensive environmental stewardship and compliance assistance information for Federal facility managers and their agencies.

<https://www.epa.gov/enforcement/enforcement-and-compliance-federal-facilities#enforcement> Provides field-level personnel a primer for complying with environmental requirements and understanding the enforcement and compliance processes used by EPA at federal facilities.



<https://www.epa.gov/enforcement/oil-pollution-act-opa-and-federal-facilities> Oil Pollution Act (OPA) and Federal Facilities.



Inspections at Federal Facilities

Opening Conference



- EPA inspector will outline the programs/areas we plan on inspecting and outline the environmental areas of concern observed during the inspection.
- EPA inspectors **DO NOT** provide site-specific assistance for technical issue detected.
- EPA inspectors **DO NOT** make a compliance determination or legal interpretations.
- EPA will provide a written report on the inspector's observations and findings.
- EPA will cooperatively work with you and help you achieve full compliance.

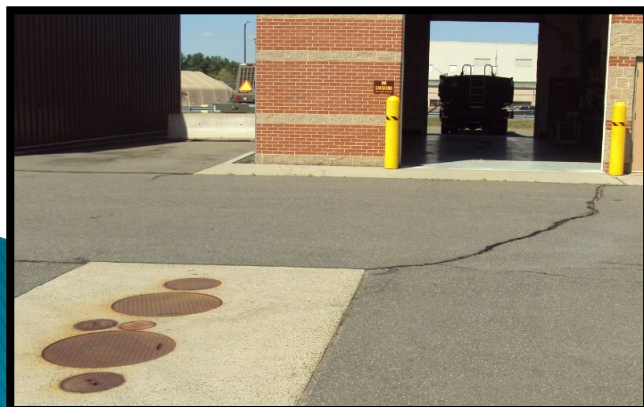


Inspections at Federal Facilities



General Facility Inspection Areas

- Outfall Locations
- Drainage Flow Path & Areas (Shared)
- Buildings/Structures
- Industrial Activities
- Storage Tanks/Equipment/Alarms
- Mobil Refuelers & Portable Containers
- Chemical Transfer & Storage Locations
- Spill Equipment & Containment
- Security Systems





Inspections at Federal Facilities



Potential Industrial Activities w/Oils (not complete)

- Aircraft & Vehicle Maintenance
 - Oil/Fluid Changes
 - Battery Replacement/Brake Repairs
 - Engine Parts & Equipment Cleaning
 - Parts Cleaning –
Acid/Caustic/Detergents/Solvents
 - Rust/Corrosion Removal/Painting
- Wastewater Treatment Systems-Oil/Water Separators
- Fuel Storage & Refueling
- Small Arms Firing Range





Inspections at Federal Facilities

Records Review

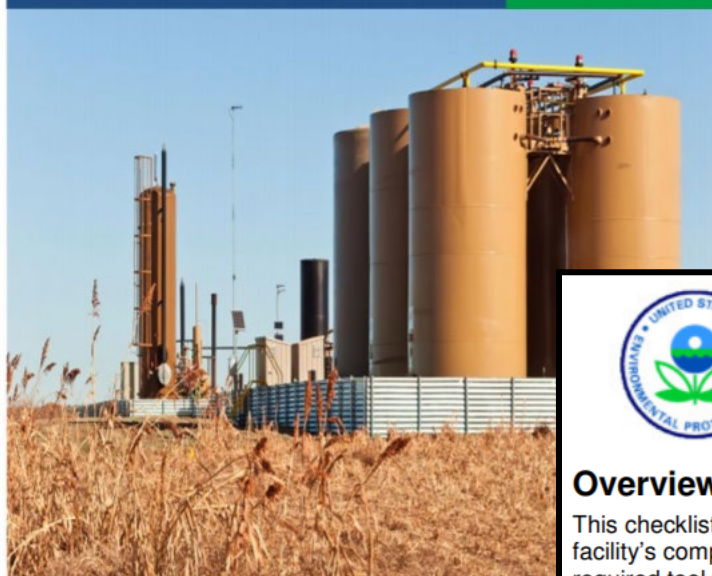
- Spill Prevention, Control and Countermeasure Plan
- Facility Diagram/s (Stormwater and Sanitary Lines)
- Tank ID Table w/Location
- Tank Inspection Records
- Dike Drainage Discharge Records
- Employee Training Records



SPCC Guidance for Regional Inspectors

Office of
Emergency
Management

December 16, 2013



U.S. ENVIRONMENTAL PROTECTION AGENCY SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST

Appendix G: SPCC Inspection Checklists

ONSHORE FACILITIES (EXCLUDING OIL DRILLING, PRODUCTION AND WORKOVER)

Overview of the Checklist

This checklist is designed to assist EPA inspectors in conducting a thorough and nationally consistent inspection of a facility's compliance with the Spill Prevention, Control, and Countermeasure (SPCC) rule at 40 CFR part 112. It is a required tool to help federal inspectors (or their contractors) record observations for the site inspection and review of the SPCC Plan. While the checklist is meant to be comprehensive, the inspector should always refer to the SPCC rule in its entirety, the SPCC Regional Inspector Guidance Document, and other relevant guidance for evaluating compliance. This checklist must be completed in order for an inspection to count toward an agency measure (i.e., OEM inspection measures or GPRA). The completed checklist and supporting documentation (i.e. photo logs or additional notes) serve as the inspection report.

EPA 550-B-13-002

Appendix G – SPCC Inspection Checklist & SPCC Guidance The Oil Pollution Prevention Regulations Your Facility SPCC Plan





Inspections at Federal Facilities

Closing Conference & Inspection Report & What May Happen Next

EPA inspector will report out all observations which are identified as potential deficiencies with the Regulations

- Example #1 The 1,500-gallon diesel tank is a single wall tank, and I did not observe secondary containment. Section §112.8(c)(2).
- Example #2 The containment volume calculation does not include a volume for sufficient freeboard for precipitation. Section §112.7(c) & §112.8(c)(2).
- Example #3 The dike drainage value for tank farm was observed to be in the open position. Section §112.8(c)(3)(i).
- Example #4 The tank's overflow audible and visual alarm system did not fully function and/or failed when tested. Section §112.8(c)(8).





Inspections at Federal Facilities

List of SPCC Regulatory Potential Deficiencies (Continued)

- Example #5 The 1,500-gallon diesel tank doesn't have a tank overfill prevention device. Section §112.8(c)(8).
- Example #6 The SPCC plan is incomplete - did not include implementation records, e.g, tank inspection Section §112.7(e), dike drainage Section §112.8(c)(3)(iv).
- Example #7 There is no evidence of the SPCC plan being reviewed and evaluated by management every 5-years. Section §112.5(b).
- Example #8 The inspector was told the 3,000-gallon gasoline tank is not in use. The inspector doesn't observe signage on the tank indicating its "permanently closed". Section §112.2.
- Example #9 The SPCC plan provided to the inspector did not include a text indicating management supports plan implementation, Section §112.7, or certification by professional engineer, Section §112.3(d)






Inspections at Federal Facilities

Following Inspection*

- Notice of Inspection w/Deficiencies
- Notice of Inspection
- Copy of Field/Plan Review Checklist
- EPA Report within 45-days of Inspection
- You want to take action to correct noted deficiencies

*all deficiencies may not have been identified at the time of inspection.



NOTICE OF SPCC INSPECTION WITH DEFICIENCIES
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

Date:	Lead Inspector (Print Name & Sign):	Inspection Number:
Additional Inspectors:		
Facility Name:	Facility Address:	Facility Type:
Facility Phone:	Facility Email:	Facility Fax:

The purpose of the inspection process is to determine compliance with Section 311 of the Clean Water Act (the "Act"), 33 U.S.C. § 1321, and the Oil Pollution Prevention regulations found at 40 C.F.R. Part 112 (the "Regulations"). The scope of the inspection and plan review process may include, but is not limited to, reviewing and obtaining copies of documents and records; interviewing facility personnel; a physical inspection of the facility (including process areas); taking photographs or video; collecting samples; and other activities necessary to determine compliance with the Act and the Regulations.

Please review this Notice of SPCC Inspection with Deficiencies form ("Notice") [and any attached documents] carefully, as they identify deficiencies observed by the inspector. Please be advised that this Notice and any attached document(s) may not set forth all deficiencies with the Act and/or Regulations, and that an in-depth review of this Notice and any other relevant information may identify deficiencies not yet identified herein. Also note that the deficiencies noted are preliminary observations only, and this Notice is not a final determination of compliance or noncompliance.

Please also be advised that any noncompliance with the Act and/or the Regulations may constitute a violation for which penalties or other relief may be sought. Penalties may be assessed upon subsequent findings by a court of law or the Administrator that the facility has violated the Act and/or the Regulations. The United States Environmental Protection Agency ("EPA") reserves the right to initiate an enforcement action under the Act and any other applicable law, and to seek penalties and other appropriate relief, for any violation of the Act, the Regulations, or other applicable laws. This Notice and other relevant information will be reviewed by appropriate EPA personnel to determine if any of the deficiencies noted herein, or any additional deficiencies identified in such review, constitute violations of the Act and/or the Regulations and whether an enforcement action is appropriate. EPA will provide written correspondence describing any deficiencies identified during the subsequent inspection review process.

To the extent this Notice identifies deficiencies with the Act and/or Regulations, [as specified in the attached Summary of SPCC Deficiencies], you are urged to correct such deficiencies as soon as possible. EPA requests you submit all information, as soon as possible, evidencing your correction of the noted deficiencies to:

Joseph Canzano, P.E.
Environmental Protection Agency
Spill Prevention Compliance Coordinator
Office Square, Suite 100, OE504-4
Boston, MA 02109-3912

date of the inspection, immediately submit a detailed explanation and schedule you believe that your facility is not required to have an SPCC Plan, or is in compliance with it, supported by documentation, as to why the facility is not subject to the SPCC provision of the Act, or that the facility meets its requirements **within 30-days of the date of the inspection.**

Confidential Business Information

If you claim that the information you are submitting is Confidential Business Information (CBI) pursuant to the regulations set forth in 40 C.F.R. § 2.208, the information will be disclosed only to the extent necessary to carry out the purposes of the Act. If you do not claim CBI, the information will be disclosed to the public in accordance with 2 Subpart B. Unless CBI is claimed, EPA may make the information available to the public.

Acknowledgement of Inspection



U.S. ENVIRONMENTAL PROTECTION AGENCY SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST

ONSHORE FACILITIES (EXCLUDING OIL DRILLING, PRODUCTION AND WORKOVER)

Overview of the Checklist

This checklist is designed to assist EPA inspectors in conducting a thorough and nationally consistent inspection of a facility's compliance with the Spill Prevention, Control, and Countermeasure (SPCC) rule at 40 CFR part 112. It is a required tool to help federal inspectors (or their contractors) record observations for the site inspection and review of the SPCC Plan. While the checklist is meant to be comprehensive, the inspector should always refer to the SPCC rule in its entirety, the SPCC Regional Inspector Guidance Document, and other relevant guidance for evaluating compliance. This checklist must be completed in order for an inspection to count toward an agency measure (i.e., OEM inspection measures or GPR). The completed checklist and supporting documentation (i.e. photo logs or additional notes) serve as the inspection report.



Inspections at Federal Facilities

Enforcement at Federal Facilities

<https://www.epa.gov/enforcement/enforcement-federal-facilities>

U.S. Government Publishing Office, Consent Agreement and Final Order

On July 25, 2019, EPA Region 3 settled with the US Government Printing Office (GPO) in Washington, DC to resolve violations of the Clean Air Act and Resource Conservation and Recovery Act hazardous waste requirements, coordinating with the District of Columbia Department of Energy and the Environment (DOEE) throughout the enforcement process. As a result of this case, the enforcement team was able to resolve spill prevention, control, and countermeasure (SPCC) and stormwater violations. As part of the Consent Agreement Final Order, GPO agreed to incorporate the following: reduction of volatile organic compounds (VOCs) and particulate matter emissions; improved management of hazardous waste storage through training; improved oil management system; a new SPCC plan, and payment of a \$140,000 penalty.

Settlement Will Result in Improved Stormwater Controls at Newport Naval Station

In March 2021, EPA Region I entered into a Compliance Agreement with the Navy to make more than \$39 million in repairs for stormwater discharge infrastructure improvements by 2030.





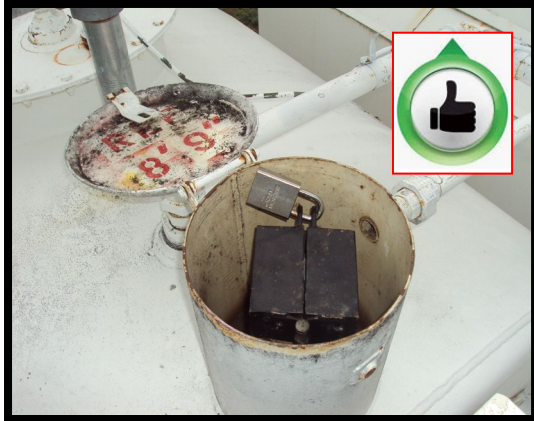
Findings From the Field

Mark
&
Joe



Pictures from the Field

What is Wrong/Right with the Picture



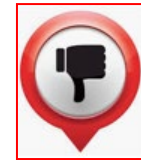
Spill Bucket
Pipe Cap Locked
2ndary
Containment
Quick Drain
Bermed
Proper Ladders
Hose Hangers
Containment
Shields





Oil Drum Storage Area

No Containment



- **Mobile Refueler Trailer being used as a Stationary Oil Tank**
- **Not a refueler thus sized containment required**
- **No Containment and No SPCC Plan**





Piping Supports not Proper



Containment Wall Failure





Poor Spill Prevention SOP

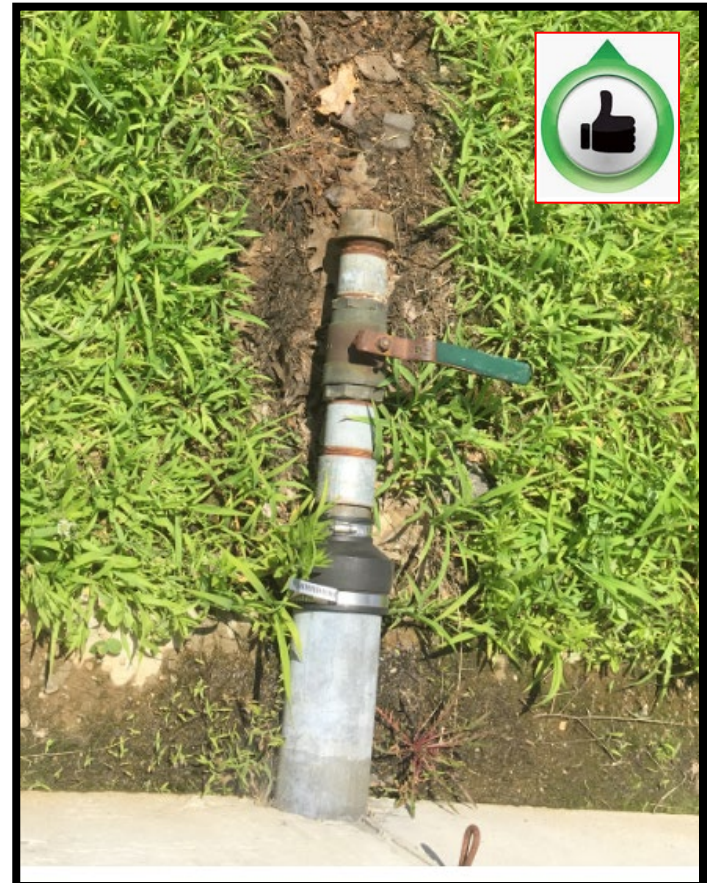


Containment Wall Failure





**Drainage Valve Closed and Capped &
No Oil Sheen Dike Waters**





- Tank Content Identified
- Dial Gauge
- Proper Vent
- No Corrosion
- Painted
- In Containment
- Overfill Alarm System





American Petroleum Institute (API) Correct Pipe Content Color Identified

A.P.I. COLOR CODES

- ⊕ UNLEADED REGULAR
- ⊕ UNLEADED MIDGRADE
- ⊕ UNLEADED PREMIUM
- ⊕ UNLEADED REGULAR W/EXT.
- ⊕ UNLEADED MIDGRADE W/EXT.
- ⊕ UNLEADED PREM. W/EXT.
- KEROSENE
- VAPOR RECOVERY
- #1 FUEL OIL
- #2 FUEL OIL
- DIESEL, LOW SULFUR
- DIESEL, HIGH SULFUR



<https://www.api.org/>





**Excessive Vegetation Growth
in Containment Area**



**Wooden Tank Wall Plug – Not Proper
Aggressive Tank Corrosion**





- Service Garage**
- No Containment
 - Deformed Drum
 - Oil Spills
 - No SPCC Plan





Tank Farm

- **Inadequate Containment for Tanks**
- **No Containment for Loading Rack**
- **Oil Spills**
- **Deficient SPCC Plan**





Inspections at Federal Facilities Pictures from the Field



**Spill Prevention &
Control Equipment**



For More Information

- EPA Emergency Management Web Site
 - www.epa.gov/emergencies
 - www.epa.gov/oilspill
- EPCRA, RMP, and Oil Information Center
 - (800) 424-9346 or (703) 412-9810
 - TDD (800) 553-7672 or (703) 412-3323
 - <http://www.epa.gov/superfund/contacts/infocenter/index.htm>



Any Questions?



Mark W. Howard

HQ SPCC SME

howard.markw@epa.gov

202-564-1964



U.S. EPA Office of Emergency Management

<http://www.epa.gov/emergencies>

<https://www.epa.gov/tribal-lands/forms/tribal-oil-spill-prevention-and-chemical-emergency-preparedness-webinars-0>

<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations>

Oil Information Center:

(800) 424-9346 or TDD (800) 553-7672



Thank You

