

TOP 3 COST SAVING AMENDMENTS TO EPA'S SPCC RULE 40 CFR PART 112

By Paul L. Osley, PE, BCEE, CIH, CSP



Finally, after eight years of effort, the Environmental Protection Agency (EPA) has authorized amendments to the 2002 Spill Prevention Containment and Countermeasures (SPCC) plan regulations, many of which will help non-oil production related facilities and small AST owners reduce costs associated with their SPCC programs. The final amendments are a revised combination of the 2006, 2008 and 2009 draft amendments.

In October 2010, the EPA established that all facilities, except drilling, production or workover facilities, must submit and/or update their SPCC plans in accordance with the new amendments by November 10, 2011 (note the compliance date for drilling, production and workover facilities

was November 10, 2010).

How will these amendments affect your business? Here's how they can save you money:

1. If your facility qualifies for one of the following exemptions, you may be able save some or all of the costs associated with your current SPCC plan program:
 - Hot-mix asphalt facilities and containers
 - Pesticide application equipment and related mix containers
 - Residential heating oil Above Ground Storage Tanks (ASTs) and Underground Storage Tanks (USTs)
 - USTs at nuclear power generation facilities
 - Non-transportation-related tank trucks
2. If your facility meets the following criteria for Tier I and/or Tier II facilities, you will have the option to take advantage of several potential cost saving opportunities and be eligible for the following:
 - Minimized regulatory SPCC Plan requirements that generally do not apply to facilities that store or handle smaller volumes of oil (e.g. emergency power generators with ASTs)
 - Reduced or no requirement for Professional Engineer (PE) plan certification and/or triennial re-certification (both can be prepared/performed by the facility owner and/or representative)
 - Streamlined integrity testing requirements
 - Streamlined facility security requirements
3. If your facility meets the criteria of a Tier I Qualified Facility, you will be eligible for reduced overall SPCC plan costs because Tier I facilities have:
 - The least complicated SPCC plan program operations and facility requirements
 - The option for the facility owner to complete an SPCC Plan template in lieu of a full SPCC Plan (no PE certification requirement)
 - A template that is designed to be a simple SPCC Plan including only the basic requirements that should apply to this tier of regulated facilities
 - No requirement for PE plan certification and/or triennial re-certification (both can be prepared/performed by the facility owner and/or representative)
 - Minimized regulatory SPCC Plan requirements that generally do not apply to facilities that store or handle smaller volumes of oil (e.g. emergency power generators with ASTs)

If you're interested in learning more on how to potentially reduce your overall SPCC plan program regulatory costs, please contact Chastain-Skillman. We look forward to the opportunity to be of service in this regard.

Paul Osley is a Principal/Director of Environmental & Occupational Health (EOH) in Chastain-Skillman's Tampa Office. In addition, Paul oversees EOH services in the Tallahassee Office. His work focuses on EOH, indoor air quality, industrial hygiene, safety, hazardous waste and remedial engineering projects for private and municipal clients. Paul received Bachelor's Degrees in Chemical and Environmental Engineering from the Florida Institute of Technology in 1984 and a Master's Degree in EOH in 1997 from the University of South Florida. He can be reached at (813) 621-9229 or posley@chastainskillman.com.