

**FACILITY OWNERS/OPERATORS GUIDE TO
SPILL PREVENTION, CONTROL, AND COUNTERMEASURE (SPCC) PLANS**

Materials Provided by the
Independent Petroleum Association of America
1201 15th Street, NW Suite 300
Washington, DC 20005
(202) 857-4722
Fax: (202) 857-4799
www.ipaa.org

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

TABLE OF CONTENTS

RULE SUMMARY.....	PAGE 3
APPLICABILITY ASSESSMENT FLOWCHART.....	PAGE 4
APPLICABILITY OF THE SPCC RULE.....	PAGE 5
DETERMINATION OF OIL.....	PAGE 7
DEFINING NAVIGABLE WATERS.....	PAGE 8
CALCULATING OIL STORAGE CAPACITY.....	PAGE 11
COMPLIANCE DATES.....	PAGE 12
DETERMINATION OF APPLICABILITY.....	PAGE 12
PREPARATION OF SPCC PLAN.....	PAGE 14
CERTIFICATION OF SPCC PLAN.....	PAGE 15
VIOLATION PENALTIES.....	PAGE 16
REQUEST FOR ADDITIONAL INFORMATION.....	PAGE 17
APPENDIX I: APPLICABILITY ASSESSMENT WORKSHEET.....	PAGE 19
APPENDIX II: NEGATIVE DECLARATION FORM.....	PAGE 21
APPENDIX III: TIER I AND II QUALIFIED FACILITY ELIGIBILITY REQUIREMENTS AND OPTIONS.....	PAGE 23
APPENDIX IV: TIER I QUALIFIED FACILITY SPCC PLAN TEMPLATE.....	PAGE 25
APPENDIX V: CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA.....	PAGE 47
APPENDIX VI: SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST	PAGE 49

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Rule Summary

In 2002, the U.S. Environmental Protection Agency (EPA) amended the Oil Pollution Prevention regulation (40 CFR part 112), which includes requirements for specific facilities to prepare or amend, and implement Spill Prevention, Control, and Countermeasure (SPCC) Plans. The SPCC rule carries out EPA's authority under the Clean Water Act (CWA) §311. The SPCC requirements for production facilities date back to 1973.

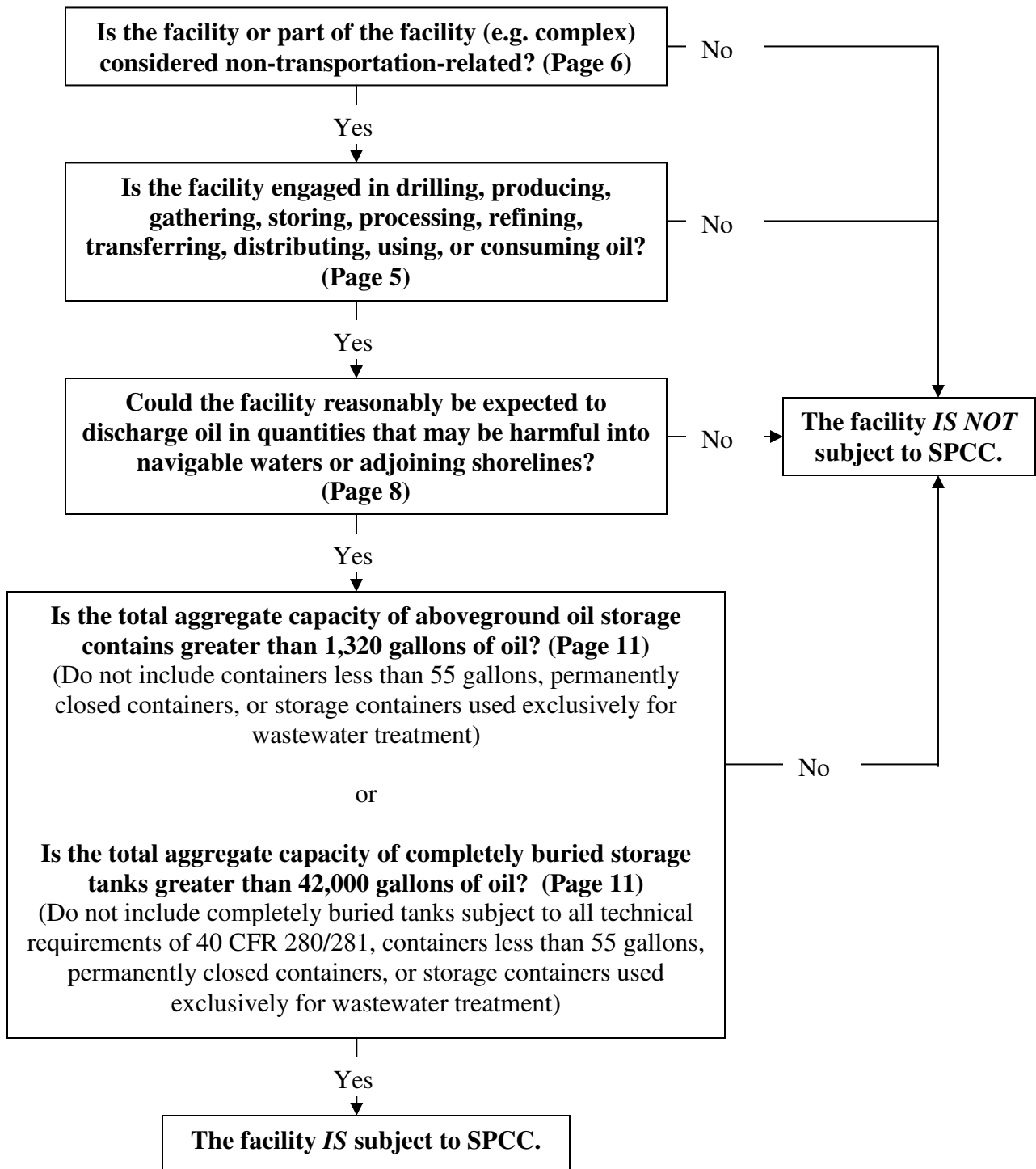
The rule requires facilities, meeting certain oil storage thresholds, which could reasonably be expected to discharge oil in quantities that may be harmful into navigable waters of the United States or adjoining shorelines to develop and implement SPCC Plans as well as train employees to carry it out. The Plans ensure that these facilities put in place containment and countermeasures that will prevent oil discharges.

Since 2002, EPA has revised the rule several times, with final amendments to the SPCC Rule in November 2009. The rule amendments address areas of regulatory reform that had been raised by the regulated community. *The most recent final rule amendments went into effect on January 14, 2010.*

This document is a condensed summary of the rule and provides information specific to oil and natural gas production. Any decisions made regarding the rule are ultimately the responsibility of the owner or operator of each facility. Owners or operators requesting more specific information should reference the contact information provided on page 17.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

SPCC Applicability Assessment Flowchart



Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Applicability of the SPCC rule

Facilities that are subject to the SPCC rule:

1. Have an aggregate aboveground oil storage capacity greater than 1,320 US gallons or completely buried oil storage capacity greater than 42,000 US Gallons; and
2. If a spill would occur, there is a reasonable expectation of an oil discharge into or upon navigable waters or adjoining shorelines, in an amount causing harm (for example a sheen).

Examples of facilities and operations covered by the SPCC rule:

- Onshore and certain offshore oil well drilling and workover facilities;
- Onshore and certain offshore oil production facilities (including separators and storage facilities);
- Loading racks, transfer hoses, loading arms, and other equipment;
- Vehicles (e.g. tank trucks) and railroad cars used to transport oil exclusively within the confines of a facility; and
- Pipeline systems used to transport oil exclusively within the confines of a facility.

A facility that stores, processes, refines, uses or consumes oil and is non-transportation-related is potentially subject to the SPCC rule. Under the rule, facility means any mobile or fixed, onshore or offshore building, structure, installation, equipment, pipe, or pipeline (other than a vessel or a public vessel) used in oil well drilling production, oil refining, oil storage, oil gathering, oil processing, oil transfer, or in which oil is used. The boundaries of a facility depend on several site-specific factors, including, but not limited to, the ownership or operation of buildings, structures, equipment on the same site and the activity at the site. *The facility owner or operator, or a Professional Engineer (PE) on behalf of the facility owner/operator, determines what constitutes the boundaries of the “facility.”*

Examples of facilities excluded from the SPCC rule:

- Any facility where the oil storage capacity of completely buried storage tanks and associated piping and equipment does not exceed 42,000 gallons *and* the aggregate aboveground oil storage capacity does not exceed 1,320 gallons;
- Completely buried tanks and associated piping and equipment that are subject to all of the technical requirements under 40 CFR part 280 or 281;
- Any container with a storage capacity less than 55 gallons at a facility;
- Any facility or part thereof used exclusively for wastewater treatment;
- The capacity of any “permanently closed” oil storage container;
- Interstate or inter-facility oil pipeline systems;
- Oil transported in vessels (e.g. ships, barges); and
- Oil transported between facilities by rail car or tanker.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Any facility or part thereof used exclusively for wastewater treatment and not used to satisfy any requirement of the SPCC rule is exempt. The production, recovery, or recycling of oil is not wastewater treatment. For the purposes of the wastewater treatment exemption, produced water is not considered wastewater, and treatment of produced water is not considered wastewater treatment. Therefore, a facility that stores, treats, or otherwise uses produced water remains subject to the rule. Oil/water separators used exclusively to treat wastewater are exempt from all SPCC requirements. Oil/water separators used in oil production and to meet the secondary containment requirements of the rule are not exempt.

Dry gas production facilities are typically not subject to the SPCC rule. A dry gas production facility produces natural gas from a well but does not also produce condensate or crude oil that can be drawn off the tanks, containers, or other production equipment at the facility. However, if petroleum products are stored on site in excess of the SPCC thresholds and meet the other applicability criteria, they may be required to develop an SPCC plan.

It is incumbent on the operator to verify that a particular gas facility is not an “oil production, oil recovery, or oil recycling facility” by providing evidence pertaining to:

- Presence or absence of condensate or crude oil that can be drawn off the tanks,
- Oil containers or other production equipment at the facility,
- Pertinent facility test data and reports (e.g., flow tests, daily gauge reports, royalty reports or other production reports required by state or federal regulatory bodies).

Wet gas production facilities may be subject to the SPCC rule if they meet the applicability criteria. In addition to natural gas, wet gas production facilities produce condensate or crude oil that can be drawn off the tanks, containers, or other production equipment at the facility. Since wet gas production facilities produce and store condensate, which is considered oil, they are regulated under the SPCC rule.

Permanently closed containers are not counted when calculating total oil storage capacity. “Permanently closed,” as defined in §112.2, refers to containers “for which (1) All liquid and sludge has been removed from each container and connecting line; and (2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.”

Operations that are intended to move oil from one location to another, i.e. transportation-related, are not included. EPA regulates tank trucks as “mobile/portable containers” under the SPCC rule if they operate exclusively within the confines of a non-transportation-related facility. For example, a tank truck that moves around within the facility and only leaves the facility to obtain more fuel (oil) would be considered to distribute fuel exclusively at one facility. This tank truck would be subject to the SPCC rule if it, or the facility, contained above the regulatory threshold amount and there was a reasonable expectation of discharge to navigable waters or adjoining shorelines. However, if the tank truck distributed fuel to multiple off-site facilities, the tank

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

truck would be transportation-related, and regulated by the Department of Transportation. Deep water drilling, production or workover facilities are typically not subject to this rule.

Determination of Oil

Oil of any type and in any form is covered under the rule, including, but not limited to: petroleum; fuel oil; oil refuse; oil mixed with wastes other than dredged spoil; fats, oils or greases of animal, fish, or marine mammal origin; vegetable oils, including oil from seeds, nuts, fruit, or kernels; and other oils and greases, including synthetic oils and mineral oils. It is important to note that produced water containers containing oil are considered oil containers and subject to applicable rule requirements.

Natural gas (including liquid natural gas and liquid petroleum gas) is not considered an oil. EPA does not consider highly volatile liquids that volatilize on contact with air or water, such as liquid natural gas or liquid petroleum gas, to be oil (67 FR 47076). Petroleum distillate or oil that is produced by natural gas wells and stored at atmospheric pressure and temperature (commonly referred to as condensate or drip gas or natural gasoline), however, is considered an oil.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Defining Navigable Waters

The SPCC rule applies to facilities that could reasonably be expected to discharge oil in quantities that may be harmful into “navigable waters” of the United States or adjoining shorelines. The CWA defines “navigable waters” as “waters of the United States.”

The Discharge of Oil regulation at 40 CFR part 110 (also referred to as the “sheen rule”) defines a discharge of oil into or upon the navigable waters of the United States or adjoining shorelines in quantities that may be harmful under the CWA as that which:

- Causes a sheen or discoloration on the surface of the water or adjoining shorelines;
- Causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines; or
- Violates an applicable water quality standard.

On April 27, 2011, the EPA and the U.S. Army Corps of Engineers jointly proposed *Draft Guidance on Identifying Waters Protected by the Clean Water Act* (Draft Guidance) to assist the Agencies’ field staff in making case-by-case determinations of what waters are subject to regulation under the CWA. A detailed fact sheet can be found at <http://www.epa.gov/emergencies/docs/oil/spcc/SPCCFactsheetSpillReportingDec06.pdf>

When finalized, the Guidance will supersede earlier guidance issued in 2003 and 2008, and will expand the scope of waters subject to CWA jurisdiction beyond those waters considered jurisdictional under the existing guidance. In addition to guidance, the agencies intend to undertake rulemaking on the scope of “waters of the US” protected by the CWA.

In lieu of pending changes to defining “navigable waters,” this document focuses on the draft guidance and upcoming rule. The Draft Guidance proposes specific instructions to field staff regarding the findings necessary to identify waters that: (1) are clearly subject to CWA jurisdiction as either navigable or interstate waters; (2) may be covered by the CWA under the “significant nexus” test, as determined on a case-by-case basis, including tributaries, adjacent wetlands, physically proximate waters, and non-physically proximate waters; or (3) are generally not subject to CWA jurisdiction. The guidance would, however, require that the significant nexus analysis for such waters in most circumstances be applied only to the single water rather than the water aggregated with similarly situated waters.

The Draft Guidance views field staff’s application of the factors defining a “significant nexus” to be one of its most important tasks. Thus, when assessing whether a “significant nexus” exists between traditionally navigable/interstate waters and other waters, “field staff should look for indicators of hydrology, effects on water quality, and physical, chemical, and biological (including ecological) connections or functions . . . alone or in combination with similarly situated waters, [and] more than speculative or insubstantial effect on the chemical, physical, or biological integrity of downstream traditional navigable waters or interstate waters.”

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Waters Protected by the Clean Water Act

- Traditional navigable waters;
- Interstate waters;
- Wetlands adjacent to either traditional navigable waters or interstate waters;
- Non-navigable tributaries to traditional navigable waters that are relatively permanent, meaning they contain water at least seasonally; and
- Wetlands that directly abut relatively permanent waters.

Waters Protected by the Clean Water Act if a Fact-Specific Analysis Determines they have a “Significant Nexus” to a Traditional Navigable Water or Interstate Water:

- Tributaries to traditional navigable waters or interstate waters;
- Wetlands adjacent to jurisdictional tributaries to traditional navigable waters or interstate waters; and
- Waters that fall under the “other waters” category of the regulations. The guidance divides these waters into two categories, those that are physically proximate to other jurisdictional waters and those that are not, and discusses how each category should be evaluated.

Aquatic Areas Generally Not Protected by the Clean Water Act:

- Wet areas that are not tributaries or open waters and do not meet the agencies’ regulatory definition of “wetlands”;
- Waters excluded from coverage under the CWA by existing regulations;
- Waters that lack a “significant nexus” where one is required for to be protected by the CWA;
- Artificially irrigated areas that would revert to upland should irrigation cease;
- Artificial lakes or ponds created by excavating and/or diking dry land and used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing;
- Artificial reflecting pools or swimming pools created by excavating and/or diking dry land;
- Small ornamental waters created by excavating and/or diking dry land for primarily aesthetic reasons;
- Water-filled depressions created incidental to construction activity;
- Groundwater drained through subsurface drainage systems; and
- Erosional features (gullies and rills), and swales and ditches that are not tributaries or wetlands.

The SPCC rule does not define the term “reasonably be expected.” The owner or operator of each facility must determine the potential for a discharge from his/her facility. To determine if a facility could reasonably discharge oil into or upon navigable waters or adjoining shorelines, the determination must judge the geography and location of the facility relative to nearby navigable waters (such as streams, creeks and other waterways).

Criteria to Consider in Determining Reasonable Expectation of Discharge:

- Distance from “navigable water”;
- Slope of land leading to surface water;
- Total fluid produced at the facility;
- Total fluid stored at the facility;
- Fluid flow characteristics;
- Proximity to environmentally sensitive area, i.e. wetlands, human/animal habitat receptors; and
- History of Federally Reportable Spills at the facility or in the vicinity.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Considerations include the estimated volume of oil that could be spilled in an incident and how that oil might drain or flow from the facility and the soil conditions or geographic features that might affect the flow toward waterways. The determination must answer if ditches, gullies, storm sewers or other drainage systems may transport an oil spill to nearby streams. Similarly, could on-site conduits, such as sewer lines, storm sewers, and certain underground features (e.g., power or cable lines, or groundwater) facilitate the transport of discharged oil off-site to navigable waters? Also, the determination may want to consider whether precipitation runoff could transport oil into navigable waters or adjoining shorelines.

When making a determination, owners and operators may not take into account manmade features, such as dikes, equipment, or other structures that might prevent, contain, hinder, or restrain the flow of oil. It must assume manmade features are not present.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Calculating Oil Storage Capacity

Oil storage capacity is calculated using the shell capacity of the container (maximum volume) and not the actual amount of product stored in the container (operational volume) to determine whether the SPCC rule applies to a facility. Only those containers with a storage capacity equal to or greater than 55 US gallons are subject to the rule. Tanks that are eligible for the exemption do not count toward storage capacity.

To calculate simply requires adding up the container oil storage capacities and comparing the total facility capacity to the SPCC threshold:

1. A total aboveground oil storage capacity greater than 1,320 U.S. gallons; *or*
2. A completely buried oil storage capacity greater than 42,000 U.S. gallons.

Once a facility is subject to the rule, *all* aboveground containers and completely buried tanks are subject to the rule requirements (unless these containers are otherwise exempt from the regulation, as is the case for containers smaller than 55 gallons). If the aboveground storage capacity exceeds 1,320 gallons, all of the tanks and oil-filled equipment, including the buried tank, are subject to the SPCC rule.

Oil storage containers at a facility that *do* count toward facility storage capacity:

Bulk storage containers: Aboveground storage tanks (either shop-built or field-erected tanks); certain completely buried tanks; partially buried tanks; tanks in vaults; bunkered tanks; and mobile or portable containers such as drums, totes, non-transportation related tank trucks, and mobile refuelers. In the case of production facilities, this includes stock tanks, separation equipment including heater treaters and/or produced water tanks containing oil.

Oil-filled equipment: May include electrical or operating equipment such as hydraulic systems, lubricating systems (e.g., those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, transformers, circuit breakers, and electrical switches.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Compliance Dates for SPCC Facilities

The compliance date for non-Facility Response Plan (FRP) facilities to amend or develop a SPCC Plan is **November 10, 2011**. FRP subject facilities and drilling, production or workover facility, including a mobile or portable facility, that is offshore or has an offshore component must comply by November 10, 2010 compliance date.

A facility, including a mobile or portable facility, 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 production facilities)	Prepare and implement an SPCC Plan before beginning operations
After November 10, 2011 (production facilities)	Prepare and implement an SPCC Plan within six months after beginning operations.*

What to do if a Facility is Subject to the Rule

A facility that meets the criteria described above must comply with the SPCC rule by preventing oil spills and developing and implementing an SPCC Plan. Facilities that are not subject to the SPCC rule should complete a Negative Declaration form found on page 21. The rule does not require facilities to complete a Negative Declaration form; however, EPA does recommend documenting the determination that the facility is not subject to the SPCC rule.

It is the responsibility of the facility owner/operator to make the determination whether the facility is subject to the requirements of the SPCC rule. This determination is subject to review by the EPA Regional Administrator or his delegated representative. A site may have multiple owners and/or operators, and therefore can have several facilities. Factors to consider in determining which owner or operator should prepare the Plan include who has control over day-to-day operations of the facility or particular containers and equipment, who trains the employee(s) involved in oil handling activities, who will conduct the required inspections and tests, and who will be responsible for responding to and cleaning up any discharge of oil. Owners and operators should cooperate to prepare one or more Plans, as appropriate. This may also include coordination with jobbers that may perform required actions under the SPCC rule for the owner/operator.

The SPCC regulation includes requirements for corrective action as well as additional reporting requirements. There are certain situations where oil discharges are required to be addressed at a production facility. A discharge of oil in any amount would need to be cleaned up, but would not be considered a violation of the spill prohibition (40 CFR part 110), unless it impacts a navigable

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

water or adjoining shoreline in a quantity that is harmful (for example a sheen). Discharges of oil reaching navigable waters or adjoining shorelines must be reported to EPA, via the National Response Center. Note that reporting to a state or local authority does not satisfy these federal reporting requirements. To report a spill, contact the National Response Center via toll-free number at 800-424-8802 or online at <http://www.nrc.uscg.mil/apex/f?p=201:1:2348836826747572>

In addition to the oil discharge (spill) reporting requirements to the NRC per 40 CFR part 110, there are additional reporting requirements under the SPCC rule 40 CFR Part 112. If a facility discharged more than 42 gallons of oil in each of two discharges over a 12-month period to navigable water or adjoining shorelines, the facility would be required to report each spill to the NRC (as required under part 110), clean up the spill, and submit a report with specific information to the Regional Administrator and may be required to amend its Plan. You must also send this information to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located; the same is true if the facility has a single discharge of more than 1,000 gallons to navigable water or adjoining shorelines.

A portion of the SPCC-regulated community may also be required to prepare a FRP. According to §112.20, a facility that has the potential to cause substantial harm to the environment in the event of a discharge must prepare and submit an FRP. *SPCC facilities must document whether they meet the FRP applicability criteria.*

The owner or operator must document his/her determination of whether the facility has the potential to cause substantial harm by completing the “Certification of the Applicability of the Substantial Harm Criteria” form on page 47 and maintain the certification at the facility.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Preparation and Implementation of an SPCC Plan

The owner or operator of the facility must prepare and implement an SPCC Plan. Although each SPCC Plan is unique to the facility, there are certain elements that must be described in every Plan including:

- Operating procedures at the facility to prevent oil spills;
- Control measures (such as secondary containment) installed to prevent oil spills from entering navigable waters or adjoining shorelines; and
- Countermeasures to contain, cleanup, and mitigate the effects of an oil spill that has impacted navigable waters or adjoining shorelines.

General Requirements for SPCC Plans

- Facility diagram and description of the facility;
- Type of oil in each fixed container and its storage capacity;
- Discharge prevention measures;
- Discharge or drainage controls;
- Countermeasures for discharge discovery, response, and cleanup;
- Methods of disposal of recovered materials; and
- 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 §112.1(b).

Additional SPCC Plan Requirements for Onshore Oil Production Facilities (Excluding Drilling and Workover Facilities)

- Oil production facility drainage;
- Oil production facility bulk storage containers;
- Flow-through process vessels;
- Produced water containers; and
- Facility transfer operations, oil production facility.

An SPCC model plan for an upstream facility can be found at http://www.epa.gov/emergencies/docs/oil/spcc/guidance/E_ProductionPlan.doc

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Certifying the SPCC Plan

Preparation of the SPCC Plan is the responsibility of the facility owner or operator and must be prepared in accordance with good engineering practices. Every SPCC Plan must be certified by a Professional Engineer (PE) unless the owner/operator is able to, and chooses to, self-certify the Plan.

A facility owner or operator may be eligible to self-certify the SPCC Plan if the facility meets the following eligibility criteria for a qualified facility:

If the facility has...	And...	And the facility has...	Then:
10,000 US gallons or less aggregate aboveground oil storage capacity;	Within any twelve-month period, three years prior to the Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, there has been: (1) No single discharge of oil to navigable waters or adjoining shorelines exceeding 1,000 US gallons; and (2) No two discharges of oil to navigable waters or adjoining shorelines each exceeding 42 US gallons in any 12-month period*	No individual aboveground oil containers greater than 5,000 US gallons;	Tier I: Complete and self-certify Plan template found in on page 25 in lieu of a full PE-certified Plan.
		And individual aboveground oil container greater than 5,000 US gallons;	Tier II: Prepare self-certified Plan in accordance with all applicable requirements of §112.7 and subparts B and C of the rule, in lieu of a PE-certified Plan.

*This does not include discharges that are the result of natural disasters, acts of war, or terrorism.

If the facility does not meet the above criteria, the SPCC Plan must be certified by a licensed PE that can confirm: he is familiar with the requirements of the rule; he or an agent has visited and examined the facility; the SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of the rule; procedures for required inspections and testing have been established; and the SPCC Plan is adequate for the facility. When self-certifying a facility's SPCC Plan, the owner/operator makes a similar statement. It is important to note that the facility visit must be performed by the person self certifying the SPCC plan unlike the case of a PE where his or her agent may visit the facility.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Once completed, SPCC Plans should be maintained at any facility normally attended at least four hours per day or at the nearest field office if the facility is not so staffed. Facility owners/operators do not need to submit their SPCC Plan to the EPA unless requested. An EPA SPCC Field Inspection Plan Review Checklist can be found on page 49.

If an owner/operator cannot prepare or amend and fully implement a SPCC Plan by the compliance date due to either non-availability of qualified personnel, or delays in construction or equipment delivery beyond the control of the owner or operator, then they may request an extension from the EPA Regional Administrator.

Violation Penalties

Under federal law, EPA may seek a penalty in court of up to \$37,500 per day for any violation of the SPCC regulations. Even though the SPCC regulation is implemented at the federal level, states and localities may also have oil programs through which they may impose additional penalties for responsible parties.

The fine for failing to notify the appropriate Federal agency of a discharge is a maximum of \$250,000 for an individual or \$500,000 for an organization. The maximum prison term is five years. The penalties for violations have a maximum of \$250,000 and 15 years in prison.

Civil penalties are authorized at \$25,000 for each day of violation or \$1,000 per barrel of oil discharged. Failure to comply with a federal removal order can result in civil penalties of up to \$25,000 for each day of violation.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Who should I contact for more information?

Superfund, TRI, EPCRA, RMP, and Oil Information Center

Toll Free: (800) 424-9346

In the Washington, DC Area: (703) 412-9810

TDD: (800) 553-7672

TDD in the Washington, DC Area: (703) 412-3323

(Mon-Thurs 10:00 am to 3:00 pm ET except Federal Holidays) or see

<http://www.epa.gov/superfund/contacts/infocenter/index.htm>

US EPA Headquarters

Office of Emergency Management

Regulatory and Policy Development Division (RPDD)

Ariel Rios Building -- Mail Code 5104A

1200 Pennsylvania Avenue

Washington, DC 20460

www.epa.gov/oem/content/spcc/

SPCC Guidance for Regional Inspectors

for more detailed guidance on specific SPCC provisions

http://www.epa.gov/oem/docs/oil/spcc/guidance/SPCC_Guidance_fulltext.pdf

National Response Center

The National Response Center (NRC) is the sole federal point of contact for reporting discharges into the environment anywhere in the United States. The NRC operates 24 hours a day, 7 days a week, 365 days a year.

United States Coast Guard (G-OPF) – Room 2611

2100 2nd Street, SW

Washington, DC 20593-0001

Toll Free: (800) 424-8802

In the Washington, DC Area: (202) 267-2675

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

<p>U.S. EPA Headquarters Office of Emergency Management Ariel Rios Building – Mail Code 5104A 1200 Pennsylvania Avenue Washington, DC 20460 202-564-8600</p>	<p>U.S. EPA Region IV 61 Forsyth Street Atlanta, GA 30365-3415 404-562-9900 <i>AL, FL, GA, KY, MS, NC, SC, and TN</i></p>	<p>U.S. EPA Region VIII 1595 Wynkoop Street (8EPR-ER) Denver, CO 80202-1129 800-227-8917 <i>CO, MT, ND, SD, UT, and WY</i></p>
<p>U.S. EPA Region I 5 Post Office Square Suite 100 Boston, MA 02109-1111 617-918-1111 <i>CT, ME, MA, NH, RI, and VT</i></p>	<p>U.S. EPA Region V 77 West Jackson Boulevard (SE-5J) Chicago, IL 60604-3590 312-353-2000 <i>IL, IN, MI, MN, OH, and WI</i></p>	<p>U.S. EPA Region IX 75 Hawthorne Street (SFD-9-4) San Francisco, CA 94105 415-972-3052 <i>AZ, CA, HI, NV, AS, and GU</i></p>
<p>U.S. EPA Region II 2890 Woodbridge Avenue Building 209 (MS211) Edison, NJ 08837-3679 732-321-6654 <i>NJ, NY, PR, and USVI</i></p>	<p>U.S. EPA Region VI 1445 Ross Avenue (6SF-RO) Dallas, TX 75202-2733 214-665-6444 <i>AR, LA, NM, OK, and TX</i></p>	<p>U.S. EPA Region X 1200 6th Avenue (ECL-116) Seattle, WA 98101 800-424-4372 <i>AK, ID, OR, and WA</i></p>
<p>U.S. EPA Region III 1650 Arch Street (3HS61) Philadelphia, PA 19103-2029 800-438-2474 <i>DE, DC, MD, PA, VA, & WV</i></p>	<p>U.S. EPA Region VII 901 North 5th Street Kansas City, KS 66101 913-551-7050 <i>IA, KS, MO, and NE</i></p>	<p>U.S. EPA Alaska Operations Office 222 West 7th Avenue, #19 Anchorage, AK 99513-7588 907-271-5083</p>

APPENDIX I: APPLICABILITY ASSESSMENT WORKSHEET

SPCC Applicability Assessment Worksheet

1. Is the facility or part of the facility considered non-transportation-related and engaged in one of the following activities?

Yes. Go to Question 2.

No. The facility is not subject to the SPCC rule.

2. Could the facility reasonably be expected to discharge oil in quantities that may be harmful into navigable waters or adjoining shorelines?

Yes. Go to Question 3.

No. The facility is not subject to the SPCC rule.

3a. Is the total aggregate capacity of aboveground oil storage containers greater than 1,320 gallons?

Note: Exclude containers less than 55 gallons, permanently closed, and storage containers used exclusively for wastewater treatment.

Yes. Go to Question 3b.

No. The facility is not subject to the SPCC rule.

3b. Is the total aggregate capacity of completely buried storage tanks greater than 42,000 gallons?

Note: Do not include completely buried storage tanks subject to all technical requirements of 40 CFR part 280 or 281, containers less than 55 gallons, permanently closed, or storage containers used exclusively for wastewater treatments.

Yes. The facility is subject to the SPCC rule.

No. The facility is not subject to the SPCC rule.

APPENDIX II: NEGATIVE DECLARATION FORM

Negative Declaration Form

Facility Name: _____ **Location: Lat:** _____ **Long:** _____

Field/Area: _____ **Tankage:** _____

County/State: _____

After careful consideration, the above referenced facility has been determined to be exempt from the requirements of 40 CFR §112 in that an SPCC plan as described under this rule will not be required. This facility does not meet the requirements for this rule as set forth in §112.1 in that this facility “*due to its location, could not reasonably be expected to discharge oil into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone*”. The purpose of this **Negative Declaration** is to explain the reasoning behind management’s decision not to develop and maintain an SPCC plan for this facility as set forth in 40 CFR §112. [§112.1]. The following criteria were considered in making this determination (refer to company document “Negative Determination” dated 3 Feb 2009).

Criteria Considered	Criteria Applied	Comments
1. Distance from “navigable water”	<input type="checkbox"/>	_____
2. Slope of land leading to surface water	<input type="checkbox"/>	_____
3. Total fluid produced at the facility (oil and water)	<input type="checkbox"/>	_____
4. Total fluid stored at the facility	<input type="checkbox"/>	_____
5. Fluid flow characteristics	<input type="checkbox"/>	_____
6. Proximity to environmentally sensitive area, i.e wetlands, human/animal habitat receptors	<input type="checkbox"/>	_____
7. History of Federally Reportable Spills at the facility or in the vicinity.	<input type="checkbox"/>	_____

Rational: _____

Authorized By:

Title

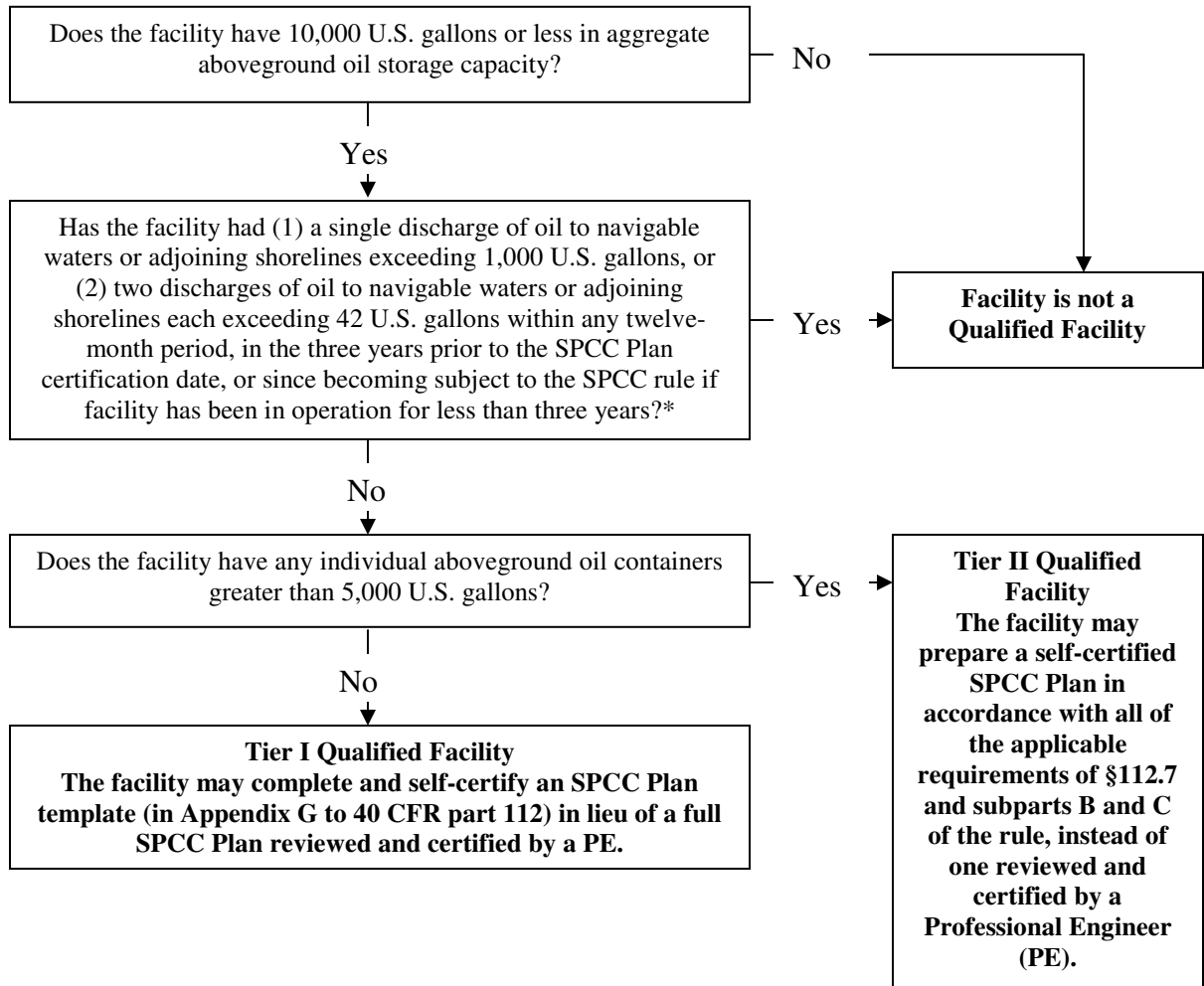
Printed Name

Date

Signature

**APPENDIX III: TIER I AND II QUALIFIED FACILITY ELIGIBILITY
REQUIREMENTS AND OPTIONS**

Tier I and II Qualified Facility Eligibility Requirements and Options



* Not including discharges that are the result of natural disasters, acts of war, or terrorism. When determining the applicability of this SPCC reporting requirement, the gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. EPA considers the entire volume of the discharge to be oil for the purposes of these reporting requirements.

APPENDIX IV: TIER I QUALIFIED FACILITY SPCC PLAN TEMPLATE



U.S. ENVIRONMENTAL PROTECTION AGENCY TIER I QUALIFIED FACILITY SPCC PLAN TEMPLATE

Instructions to Complete this Template

This template is intended to help the owner or operator of a Tier I qualified facility develop a self-certified Spill Prevention, Control, and Countermeasure (SPCC) Plan. To use this template, your facility must meet all of the applicability criteria of a Tier I qualified facility listed under §112.3(g)(1) of the SPCC rule. This template provides every SPCC rule requirement necessary for a Tier I qualified facility, which you must address and implement.

You may use this template to comply with the SPCC regulation or use it as a model and modify it as necessary to meet your facility-specific needs. If you modify the template, your Plan must include a section cross-referencing the location of each applicable requirement of the SPCC rule and you must ensure that your Plan is an equivalent Plan that meets all applicable rule requirements of 40 CFR 112.6(a)(3).

You may complete this template either electronically or by hand on a printed copy. This document is a reformatted version of the template found in Appendix G of 40 CFR part 112.^a No substantive changes have been made. Please note that a "Not Applicable" ("N/A") column has been added to both Table G-10 (General Rule Requirements for Onshore Facilities) and Table G-11 (General Rule Requirements for Onshore Oil Production Facilities). The "N/A" column should help you complete your self-certification when a required rule element does not apply to your facility. Use of the "N/A" column is optional and is not required by rule.

All Tier I qualified facility self-certifiers must complete Sections I, II, and III. Additionally, the owner or operator of an:

- Onshore facility (excluding production) must complete Section A.
- Onshore oil production facility (excluding drilling and workover facilities) must complete Section B.
- Onshore oil drilling and workover facility must complete Section C.

Complete and include with your Plan the appropriate attachments. You should consider printing copies of the attachments for use in implementing the SPCC Plan (e.g. Attachment 3.1 - Inspection Log & Schedule; Attachment 4 - Discharge Notification Form).

To complete the template, check the box next to the requirement to indicate that it has been adequately addressed. Either write "N/A" in the column or check the box under the "N/A" column to indicate those requirements that are not applicable to the facility. Where a section requires a description or listing, write in the spaces provided (or attach additional descriptions if more space is needed).

Below is a key for the colors used in the section headers:

Sections I, II, and III: Required for all Tier I qualified facilities
Section A: Onshore facilities (excluding production)
Section B: Onshore oil production facilities (excluding drilling and workover facilities)
Section C: Onshore oil drilling and workover facilities
Attachments: 1 - Five Year Review and Technical Amendment Logs 2 - Oil Spill Contingency Plan and Checklist 3 - Inspections, Dike Drainage and Personnel Training Logs 4 - Discharge Notification Form

After you have completed all appropriate sections, certify and date your Plan, and then implement it by the compliance date. If your facility was in operation before August 16, 2002, and you do not already have a Plan, then implement this template immediately. Conduct inspections and tests in accordance with the written procedures that you have developed for your facility. You must keep with the SPCC Plan a record of these inspections and tests, signed by the appropriate supervisor or inspector, for a period of three years.

Do not forget to periodically review your Plan (at least once every five years) or to update it when you make changes to your facility. You must prepare amendments within six months of the facility change, and implement them as soon as possible, but not later than six months following preparation of any amendment.

In the event that your facility releases oil to navigable waters or adjoining shorelines, immediately call the National Response Center (NRC) at 1-800-424-8802. The NRC is the federal government's centralized reporting center, which is staffed 24 hours per day by U.S. Coast Guard personnel.

^a Please note that the use of this template is not mandatory for a Tier I qualified facility. You may also meet the SPCC Plan requirement by preparing a satisfactory Tier II qualified facility Plan, preparing a satisfactory Plan that is certified by a Professional Engineer, or by developing an equivalent Plan for a Tier I qualified facility. Further information on the requirements of these methods can be found in 40 CFR part 112.6(a)(1). If you use any of these alternative methods you must include a cross reference in your Plan that shows how the equivalent Plan meets all applicable 40 CFR part 112 requirements.

Tier I Qualified Facility SPCC Plan

This template constitutes the SPCC Plan for the facility, when completed and signed by the owner or operator of a facility that meets the applicability criteria in §112.3(g)(1). This template addresses the requirements of 40 CFR part 112. Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or for a facility attended fewer than four hours per day, at the nearest field office. When making operational changes at a facility that are necessary to comply with the rule requirements, the owner/operator should follow state and local requirements (such as for permitting, design and construction) and obtain professional assistance, as appropriate.

Facility Description

Facility Name _____

Facility Address _____

City _____ State _____ ZIP _____

County _____ Tel. Number () - _____

Owner or Operator Name _____

Owner or Operator Address _____

City _____ State _____ ZIP _____

County _____ Tel. Number () - _____

I. Self-Certification Statement (§112.6(a)(1))

The owner or operator of a facility certifies that each of the following is true in order to utilize this template to comply with the SPCC requirements:

- I _____ certify that the following is accurate:
1. I am familiar with the applicable requirements of 40 CFR part 112;
 2. I have visited and examined the facility;
 3. This Plan was prepared in accordance with accepted and sound industry practices and standards;
 4. Procedures for required inspections and testing have been established in accordance with industry inspection and testing standards or recommended practices;
 5. I will fully implement the Plan;
 6. This facility meets the following qualification criteria (under §112.3(g)(1)):
 - a. The aggregate aboveground oil storage capacity of the facility is 10,000 U.S. gallons or less; and
 - b. The facility has had no single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons and no two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan self-certification date, or since becoming subject to 40 CFR part 112 if the facility has been in operation for less than three years (not including oil discharges as described in §112.1(b) that are the result of natural disasters, acts of war, or terrorism); and
 - c. There is no individual oil storage container at the facility with an aboveground capacity greater than 5,000 U.S. gallons.
 7. This Plan does not deviate from any requirement of 40 CFR part 112 as allowed by §112.7(a)(2) (environmental equivalence) and §112.7(d) (impracticability of secondary containment) or include any measures pursuant to §112.9(c)(6) for produced water containers and any associated piping;
 8. This Plan and individual(s) responsible for implementing this Plan have the full approval of management and I have committed the necessary resources to fully implement this Plan.

I also understand my other obligations relating to the storage of oil at this facility, including, among others:

1. To report any oil discharge to navigable waters or adjoining shorelines to the appropriate authorities. Notification information is included in this Plan.
2. To review and amend this Plan whenever there is a material change at the facility that affects the potential for an oil discharge, and at least once every five years. Reviews and amendments are recorded in an attached log [See Five Year Review Log and Technical Amendment Log in Attachments 1.1 and 1.2.]
3. Optional use of a contingency plan. A contingency plan:
 - a. May be used in lieu of secondary containment for qualified oil-filled operational equipment, in accordance with the requirements under §112.7(k), and;
 - b. Must be prepared for flowlines and/or intra-facility gathering lines which do not have secondary containment at an oil production facility, and;
 - c. Must include an established and documented inspection or monitoring program; must follow the provisions of 40 CFR part 109; and must include a written commitment of manpower, equipment and materials to expeditiously remove any quantity of oil discharged that may be harmful. If applicable, a copy of the contingency plan and any additional documentation will be attached to this Plan as Attachment 2.

I certify that I have satisfied the requirement to prepare and implement a Plan under §112.3 and all of the requirements under §112.6(a). I certify that the information contained in this Plan is true.

Signature _____

Title: _____

Name _____

Date: ____ / ____ / 20____

II. Record of Plan Review and Amendments

Five Year Review (§112.5(b)):

Complete a review and evaluation of this SPCC Plan at least once every five years. As a result of the review, amend this Plan within six months to include more effective prevention and control measures for the facility, if applicable. Implement any SPCC Plan amendment as soon as possible, but no later than six months following Plan amendment. Document completion of the review and evaluation, and complete the Five Year Review Log in Attachment 1.1. If the facility no longer meets Tier I qualified facility eligibility, the owner or operator must revise the Plan to meet Tier II qualified facility requirements, or complete a full PE certified Plan.

Table G-1 Technical Amendments (§§112.5(a), (c) and 112.6(a)(2))	
This SPCC Plan will be amended when there is a change in the facility design, construction, operation, or maintenance that materially affects the potential for a discharge to navigable waters or adjoining shorelines. Examples include adding or removing containers, reconstruction, replacement, or installation of piping systems, changes to secondary containment systems, changes in product stored at this facility, or revisions to standard operating procedures.	<input type="checkbox"/>
Any technical amendments to this Plan will be re-certified in accordance with Section I of this Plan template. [§112.6(a)(2)] [See Technical Amendment Log in Attachment 1.2]	<input type="checkbox"/>

Table G-4 below identifies the tanks and containers at the facility with the potential for an oil discharge; the mode of failure; the flow direction and potential quantity of the discharge; and the secondary containment method and containment capacity that is provided.

Table G-4 Containers with Potential for an Oil Discharge					
Area	Type of failure (discharge scenario)	Potential discharge volume (gallons)	Direction of flow for uncontained discharge	Secondary containment method ^a	Secondary containment capacity (gallons)
<i>Bulk Storage Containers and Mobile/Portable Containers^b</i>					
<i>Oil-filled Operational Equipment (e.g., hydraulic equipment, transformers)^c</i>					
<i>Piping, Valves, etc.</i>					
<i>Product Transfer Areas (location where oil is loaded to or from a container, pipe or other piece of equipment.)</i>					
<i>Other Oil-Handling Areas or Oil-Filled Equipment (e.g. flow-through process vessels at an oil production facility)</i>					

^a Use one of the following methods of secondary containment or its equivalent: (1) Dikes, berms, or retaining walls sufficiently impervious to contain oil; (2) Curbing; (3) Culverting, gutters, or other drainage systems; (4) Weirs, booms, or other barriers; (5) Spill diversion ponds; (6) Retention ponds; or (7) Sorbent materials.

^b For storage tanks and bulk storage containers, the secondary containment capacity must be at least the capacity of the largest container plus additional capacity to contain rainfall or other precipitation.

^c For oil-filled operational equipment: Document in the table above if alternative measures to secondary containment (as described in §112.7(k)) are implemented at the facility.

3. Inspections, Testing, Recordkeeping and Personnel Training (§§112.7(e) and (f), 112.8(c)(6) and (d)(4), 112.9(c)(3), 112.12(c)(6) and (d)(4)):

Table G-5 Inspections, Testing, Recordkeeping and Personnel Training	
An inspection and/or testing program is implemented for all aboveground bulk storage containers and piping at this facility. <i>[§§112.8(c)(6) and (d)(4), 112.9(c)(3), 112.12(c)(6) and (d)(4)]</i>	<input type="checkbox"/>
The following is a description of the inspection and/or testing program (e.g. reference to industry standard utilized, scope, frequency, method of inspection or test, and person conducting the inspection) for all aboveground bulk storage containers and piping at this facility:	
Inspections, tests, and records are conducted in accordance with written procedures developed for the facility. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph. <i>[§112.7(e)]</i>	<input type="checkbox"/>
A record of the inspections and tests are kept at the facility or with the SPCC Plan for a period of three years. <i>[§112.7(e)]</i> [See Inspection Log and Schedule in Attachment 3.1]	<input type="checkbox"/>
Inspections and tests are signed by the appropriate supervisor or inspector. <i>[§112.7(e)]</i>	<input type="checkbox"/>
Personnel, training, and discharge prevention procedures [§112.7(f)]	
Oil-handling personnel are trained 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. <i>[§112.7(f)]</i>	<input type="checkbox"/>
A person who reports to facility management is designated and accountable for discharge prevention. <i>[§112.7(f)]</i> Name/Title: _____	<input type="checkbox"/>
Discharge prevention briefings are conducted for oil-handling personnel annually to assure adequate understanding of the SPCC Plan for that facility. Such briefings highlight and describe past reportable discharges or failures, malfunctioning components, and any recently developed precautionary measures. <i>[§112.7(f)]</i> [See Oil-handling Personnel Training and Briefing Log in Attachment 3.4]	<input type="checkbox"/>

6. Contact List (§112.7(a)(3)(vi)):

Table G-8 Contact List	
Contact Organization / Person	Telephone Number
National Response Center (NRC)	1-800-424-8802
Cleanup Contractor(s)	
Key Facility Personnel	
Designated Person Accountable for Discharge Prevention:	Office:
	Emergency:
	Office:
	Emergency:
	Office:
	Emergency:
	Office:
	Emergency:
	Office:
	Emergency:
State Oil Pollution Control Agencies	
Other State, Federal, and Local Agencies	
Local Fire Department	
Local Police Department	
Hospital	
Other Contact References (e.g., downstream water intakes or neighboring facilities)	

7. NRC Notification Procedure (§112.7(a)(4) and (a)(5)):

Table G-9 NRC Notification Procedure	
In the event of a discharge of oil to navigable waters or adjoining shorelines, the following information identified in Attachment 4 will be provided to the National Response Center immediately following identification of a discharge to navigable waters or adjoining shorelines [See Discharge Notification Form in Attachment 4]: [§112.7(a)(4)]	<input type="checkbox"/>
<ul style="list-style-type: none"> • The exact address or location and phone number of the facility; • Date and time of the discharge; • Type of material discharged; • Estimate of the total quantity discharged; • Estimate of the quantity discharged to navigable waters; • Source of the discharge; 	<ul style="list-style-type: none"> • Description of all affected media; • 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 • Names of individuals and/or organizations who have also been contacted.

8. SPCC Spill Reporting Requirements (Report within 60 days) (§112.4):

Submit information to the EPA Regional Administrator (RA) and the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located within 60 days from one of the following discharge events:

- A single discharge of more than 1,000 U.S. gallons of oil to navigable waters or adjoining shorelines or
- Two discharges to navigable waters or adjoining shorelines each more than 42 U.S. gallons of oil occurring within any twelve month period

You must submit the following information to the RA:

- (1) Name of the facility;
- (2) Your name;
- (3) Location of the facility;
- (4) Maximum storage or handling capacity of the facility and normal daily throughput;
- (5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;
- (6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;
- (7) The cause of the reportable discharge, including a failure analysis of the system or subsystem in which the failure occurred; and
- (8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence
- (9) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge

* * * * *

NOTE: Complete one of the following sections (A, B or C) as appropriate for the facility type.

A. Onshore Facilities (excluding production) (§§112.8(b) through (d), 112.12(b) through (d)):

The owner or operator must meet the general rule requirements as well as requirements under this section. Note that not all provisions may be applicable to all owners/operators. For example, a facility may not maintain completely buried metallic storage tanks installed after January 10, 1974, and thus would not have to abide by requirements in §§112.8(c)(4) and 112.12(c)(4), listed below. **In cases where a provision is not applicable, write "N/A".**

Table G-10 General Rule Requirements for Onshore Facilities	N/A
Drainage from diked storage areas is restrained by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. Diked areas may be emptied by pumps or ejectors that must be manually activated after inspecting the condition of the accumulation to ensure no oil will be discharged. [§§112.8(b)(1) and 112.12(b)(1)]	<input type="checkbox"/>
Valves of manual, open-and-closed design are used for the drainage of diked areas. [§§112.8(b)(2) and 112.12(b)(2)]	<input type="checkbox"/>
The containers at the facility are compatible with materials stored and conditions of storage such as pressure and temperature. [§§112.8(c)(1) and 112.12(c)(1)]	<input type="checkbox"/>
Secondary containment for the bulk storage containers (including mobile/portable oil storage containers) holds the capacity of the largest container plus additional capacity to contain precipitation. Mobile or portable oil storage containers are positioned to prevent a discharge as described in §112.1(b). [§112.6(a)(3)(ii)]	<input type="checkbox"/>
If uncontaminated rainwater from diked areas drains into a storm drain or open watercourse the following procedures will be implemented at the facility: [§§112.8(c)(3) and 112.12(c)(3)] <ul style="list-style-type: none"> • Bypass valve is normally sealed closed • Retained rainwater is inspected to ensure that its presence will not cause a discharge to navigable waters or adjoining shorelines • Bypass valve is opened and resealed under responsible supervision • Adequate records of drainage are kept [See Dike Drainage Log in Attachment 3.3] 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
For completely buried metallic tanks installed on or after January 10, 1974 at this facility [§§112.8(c)(4) and 112.12(c)(4)]: <ul style="list-style-type: none"> • Tanks have corrosion protection with coatings or cathodic protection compatible with local soil conditions. • Regular leak testing is conducted. 	<input type="checkbox"/> <input type="checkbox"/>
For partially buried or bunkered metallic tanks [§112.8(c)(5) and §112.12(c)(5)]: <ul style="list-style-type: none"> • Tanks have corrosion protection with coatings or cathodic protection compatible with local soil conditions. 	<input type="checkbox"/>
Each aboveground bulk container is tested or inspected for integrity on a regular schedule and whenever material repairs are made. Scope and frequency of the inspections and inspector qualifications are in accordance with industry standards. Container supports and foundations are regularly inspected. [See Inspection Log and Schedule and Bulk Storage Container Inspection Schedule in Attachments 3.1 and 3.2] [§112.8(c)(6) and §112.12(c)(6)(i)]	<input type="checkbox"/>
Outsides of bulk storage containers are frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked areas. [See Inspection Log and Schedule in Attachment 3.1] [§§112.8(c)(6) and 112.12(c)(6)]	<input type="checkbox"/>
For bulk storage containers that are subject to 21 CFR part 110 which are shop-fabricated, constructed of austenitic stainless steel, elevated and have no external insulation, formal visual inspection is conducted on a regular schedule. Appropriate qualifications for personnel performing tests and inspections are documented. [See Inspection Log and Schedule and Bulk Storage Container Inspection Schedule in Attachments 3.1 and 3.2] [§112.12(c)(6)(ii)]	<input type="checkbox"/>

Table G-10 General Rule Requirements for Onshore Facilities		N/A
Each container is provided with a system or documented procedure to prevent overfills for the container. Describe:	<input type="checkbox"/>	<input type="checkbox"/>
Liquid level sensing devices are regularly tested to ensure proper operation [See Inspection Log and Schedule in Attachment 3.1] . <i>[\$112.6(a)(3)(iii)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts are promptly corrected and oil in diked areas is promptly removed. <i>[\$112.8(c)(10) and 112.12(c)(10)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Aboveground valves, piping, and appurtenances such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces are inspected regularly. [See Inspection Log and Schedule in Attachment 3.1] <i>[\$112.8(d)(4) and 112.12(d)(4)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Integrity and leak testing are conducted on buried piping at the time of installation, modification, construction, relocation, or replacement. [See Inspection Log and Schedule in Attachment 3.1] <i>[\$112.8(d)(4) and 112.12(d)(4)]</i>	<input type="checkbox"/>	<input type="checkbox"/>

B. Onshore Oil Production Facilities (excluding drilling and workover facilities) (§112.9(b), (c), and (d)):

The owner or operator must meet the general rule requirements as well as the requirements under this section. Note that not all provisions may be applicable to all owners/operators. **In cases where a provision is not applicable, write "N/A".**

Table G-11 General Rule Requirements for Onshore Oil Production Facilities		N/A
At tank batteries, separation and treating areas, drainage is closed and sealed except when draining uncontaminated rainwater. Accumulated oil on the rainwater is returned to storage or disposed of in accordance with legally approved methods. <i>[§112.9(b)(1)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Prior to drainage, diked areas are inspected and <i>[§112.9(b)(1)]</i> : <ul style="list-style-type: none"> • Retained rainwater is inspected to ensure that its presence will not cause a discharge to navigable waters • Bypass valve is opened and resealed under responsible supervision • Adequate records of drainage are kept [See Dike Drainage Log in Attachment 3.3] 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Field drainage systems and oil traps, sumps, or skimmers are inspected at regularly scheduled intervals for oil, and accumulations of oil are promptly removed [See Inspection Log and Schedule in Attachment 3.1] <i>[§112.9(b)(2)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
The containers used at this facility are compatible with materials stored and conditions of storage. <i>[§112.9(c)(1)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
All tank battery, separation, and treating facility installations (except for flow-through process vessels) are constructed with a capacity to hold the largest single container plus additional capacity to contain rainfall. Drainage from undiked areas is safely confined in a catchment basin or holding pond. <i>[§112.9(c)(2)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Except for flow-through process vessels, containers that are on or above the surface of the ground, including foundations and supports, are visually inspected for deterioration and maintenance needs on a regular schedule. [See Inspection Log and Schedule in Attachment 3.1] <i>[§112.9(c)(3)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
New and old tank batteries at this facility are engineered/updated in accordance with good engineering practices to prevent discharges including at least one of the following: <ul style="list-style-type: none"> i. adequate container capacity to prevent overflow if regular pumping/gauging is delayed; ii. overflow equalizing lines between containers so that a full container can overflow to an adjacent container; iii. vacuum protection to prevent container collapse; or iv. high level sensors to generate and transmit an alarm to the computer where the facility is subject to a computer production control system. <i>[§112.9(c)(4)]</i> 	<input type="checkbox"/>	<input type="checkbox"/>
Flow-through process vessels and associated components are: <ul style="list-style-type: none"> • Are constructed with a capacity to hold the largest single container plus additional capacity to contain rainfall. Drainage from undiked areas is safely confined in a catchment basin or holding pond; <i>[§112.9(c)(2)]</i> and • That are on or above the surface of the ground, including foundations and supports, are visually inspected for deterioration and maintenance needs on a regular schedule. [See Inspection Log and Schedule in Attachment 3.1] <i>[§112.9(c)(3)]</i> Or <ul style="list-style-type: none"> • Visually inspected and/or tested periodically and on a regular schedule for leaks, corrosion, or other conditions that could lead to a discharge to navigable waters; and • Corrective action or repairs are applied to flow-through process vessels and any associated components as indicated by regularly scheduled visual inspections, tests, or evidence of an oil discharge; and • Any accumulations of oil discharges associated with flow-through process vessels are promptly removed; and • Flow-through process vessels are provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation within six months of a discharge from flow-through process vessels of more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or a discharge more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period. <i>[§112.9(c)(5)]</i> <i>(Leave blank until such time that this provision is applicable.)</i> 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Table G-11 General Rule Requirements for Onshore Oil Production Facilities		N/A
All aboveground valves and piping associated with transfer operations are inspected periodically and upon a regular schedule. The general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items are included in the inspection. [See Inspection Log and Schedule in Attachment 3.1] [§112.9(d)(1)]	<input type="checkbox"/>	<input type="checkbox"/>
An oil spill contingency plan and written commitment of resources are provided for flowlines and intra-facility gathering lines [See Oil Spill Contingency Plan and Checklist in Attachment 2 and Inspection Log and Schedule in Attachment 3.1] [§112.9(d)(3)] or Appropriate secondary containment and/or diversionary structures or equipment is provided for flowlines and intra-facility gathering lines to prevent a discharge to navigable waters or adjoining shorelines. The entire secondary containment system, including walls and floor, is capable of containing oil and is constructed so that any discharge from the pipe, will not escape the containment system before cleanup occurs.	<input type="checkbox"/>	<input type="checkbox"/>
A flowline/intra-facility gathering line maintenance program to prevent discharges from each flowline has been established at this facility. The maintenance program addresses each of the following: <ul style="list-style-type: none"> • Flowlines and intra-facility gathering lines and associated valves and equipment are compatible with the type of production fluids, their potential corrosivity, volume, and pressure, and other conditions expected in the operational environment; • Flowlines, intra-facility gathering lines and associated appurtenances are visually inspected and/or tested on a periodic and regular schedule for leaks, oil discharges, corrosion, or other conditions that could lead to a discharge as described in §112.1(b). The frequency and type of testing allows for the implementation of a contingency plan as described under part 109 of this chapter. • Corrective action and repairs to any flowlines and intra-facility gathering lines and associated appurtenances as indicated by regularly scheduled visual inspections, tests, or evidence of a discharge. • Accumulations of oil discharges associated with flowlines, intra-facility gathering lines, and associated appurtenances are promptly removed. [§112.9(d)(4)] 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
The following is a description of the flowline/intra-facility gathering line maintenance program implemented at this facility:		

C. Onshore Oil Drilling and Workover Facilities (§112.10(b), (c) and (d)):

The owner or operator must meet the general rule requirements as well as the requirements under this section.

Table G-12 General Rule Requirements for Onshore Oil Drilling and Workover Facilities	
Mobile drilling or worker equipment is positioned or located to prevent discharge as described in §112.1(b). [§112.10(b)]	<input type="checkbox"/>
Catchment basins or diversion structures are provided to intercept and contain discharges of fuel, crude oil, or oily drilling fluids. [§112.10(c)]	<input type="checkbox"/>
A blowout prevention (BOP) assembly and well control system was installed before drilling below any casing string or during workover operations. [§112.10(d)]	<input type="checkbox"/>
The BOP assembly and well control system is capable of controlling any well-head pressure that may be encountered while the BOP assembly and well control system are on the well. [§112.10(d)]	<input type="checkbox"/>

ATTACHMENT 2 – Oil Spill Contingency Plan and Checklist

An oil spill contingency plan and written commitment of resources is required for:

- Flowlines and intra-facility gathering lines at oil production facilities and
- Qualified oil-filled operational equipment which has no secondary containment.

An oil spill contingency plan meeting the provisions of 40 CFR part 109, as described below, and a written commitment of manpower, equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is attached to this Plan.	<input type="checkbox"/>
--	--------------------------

Complete the checklist below to verify that the necessary operations outlined in 40 CFR part 109 - Criteria for State, Local and Regional Oil Removal Contingency Plans - have been included.

Table G-15 Checklist of Development and Implementation Criteria for State, Local and Regional Oil Removal Contingency Plans (§109.5)^a

(a) Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations.	<input type="checkbox"/>
(b) Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including: <ul style="list-style-type: none"> (1) The identification of critical water use areas to facilitate the reporting of and response to oil discharges. (2) A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered. (3) Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., NCP). (4) An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(c) Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including: <ul style="list-style-type: none"> (1) The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally. (2) An estimate of the equipment, materials and supplies which would be required to remove the maximum oil discharge to be anticipated. (3) Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(d) Provisions for well defined and specific actions to be taken after discovery and notification of an oil discharge including: <ul style="list-style-type: none"> (1) Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel. (2) Predesignation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans. (3) A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations. (4) Provisions for varying degrees of response effort depending on the severity of the oil discharge. (5) Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses. (6) Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

^a The contingency plan must be consistent with all applicable state and local plans, Area Contingency Plans, and the National Contingency Plan (NCP)

ATTACHMENT 3 – Inspections, Dike Drainage and Personnel Training Logs

ATTACHMENT 3.1 – Inspection Log and Schedule

Table G-16 Inspection Log and Schedule
 This log is intended to document compliance with §§112.6(a)(3)(iii), 112.8(c)(6), 112.8(d)(4), 112.9(b)(2), 112.9(c)(3), 112.9(d)(1), 112.9(d)(4), 112.12.(c)(6), and 112.12(d)(4), as applicable.

Date of Inspection	Container / Piping / Equipment	Describe Scope (or cite Industry Standard)	Observations	Name/ Signature of Inspector	Records maintained separately ^a
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

^a Indicate in the table above if records of facility inspections are maintained separately at this facility.

ATTACHMENT 3.2 – Bulk Storage Container Inspection Schedule – onshore facilities (excluding production):

To comply with integrity inspection requirement for bulk storage containers, inspect/test each shop-built aboveground bulk storage container on a regular schedule in accordance with a recognized container inspection standard based on the minimum requirements in the following table.

Table G-17 Bulk Storage Container Inspection Schedule	
Container Size and Design Specification	Inspection requirement
Portable containers (including drums, totes, and intermodal bulk containers (IBC))	Visually inspect monthly for signs of deterioration, discharges or accumulation of oil inside diked areas
55 to 1,100 gallons with sized secondary containment	Visually inspect monthly for signs of deterioration, discharges or accumulation of oil inside diked areas plus any annual inspection elements per industry inspection standards
1,101 to 5,000 gallons with sized secondary containment and a means of leak detection ^a	
1,101 to 5,000 gallons with sized secondary containment and no method of leak detection ^a	Visually inspect monthly for signs of deterioration, discharges or accumulation of oil inside diked areas, plus any annual inspection elements and other specific integrity tests that may be required per industry inspection standards

^a Examples of leak detection include, but are not limited to, double-walled tanks and elevated containers where a leak can be visually identified.

ATTACHMENT 3.3 – Dike Drainage Log

Table G-18 Dike Drainage Log

Date	Bypass valve sealed closed	Rainwater inspected to be sure no oil (or sheen) is visible	Open bypass valve and reseal it following drainage	Drainage activity supervised	Observations	Signature of Inspector
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Facility Name: _____

ATTACHMENT 3.4 – Oil-handling Personnel Training and Briefing Log

Table G-19 Oil-Handling Personnel Training and Briefing Log

Date	Description / Scope	Attendees

ATTACHMENT 4 – Discharge Notification Form

In the event of a discharge of oil to navigable waters or adjoining shorelines, the following information will be provided to the National Response Center [also see the notification information provided in Section 7 of the Plan]:

Table G-20 Information provided to the National Response Center in the Event of a Discharge			
Discharge/Discovery Date		Time	
Facility Name			
Facility Location (Address/Lat-Long/Section Township Range)			
Name of reporting individual		Telephone #	
Type of material discharged		Estimated total quantity discharged	Gallons/Barrels
Source of the discharge		Media affected	<input type="checkbox"/> Soil
			<input type="checkbox"/> Water (specify)
			<input type="checkbox"/> Other (specify)
Actions taken			
Damage or injuries	<input type="checkbox"/> No <input type="checkbox"/> Yes (specify)	Evacuation needed?	<input type="checkbox"/> No <input type="checkbox"/> Yes (specify)
Organizations and individuals contacted	<input type="checkbox"/> National Response Center 800-424-8802 Time		
	<input type="checkbox"/> Cleanup contractor (Specify) Time		
	<input type="checkbox"/> Facility personnel (Specify) Time		
	<input type="checkbox"/> State Agency (Specify) Time		
	<input type="checkbox"/> Other (Specify) Time		

**APPENDIX V: CERTIFICATION OF THE APPLICABILITY OF THE
SUBSTANTIAL HARM CRITERIA**

Certification of the Applicability of the Substantial Harm Criteria Checklist

Facility Name: _____

Facility Address: _____

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?

Yes ___ No ___

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?

Yes ___ No ___

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the formula in Attachment C-III, Appendix C, 40 CFR 112 or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Environments" (Section 10, Appendix E, 40 CFR 112 for availability) and the applicable Area Contingency Plan.

Yes ___ No ___

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula (Attachment C-III, Appendix C, 40 CFR 112 or a comparable formula¹) such that a discharge from the facility would shut down a public drinking water intake?

Yes ___ No ___

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?

Yes ___ No ___

Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature _____ Title _____
Name (print) _____ Date _____

From 40 CFR 112 Appendix C, Attachment C-II

APPENDIX VI: SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST



U.S. ENVIRONMENTAL PROTECTION AGENCY
SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST
ONSHORE OIL PRODUCTION, DRILLING, AND WORKOVER FACILITIES

Overview of the Checklist

This checklist is designed to assist EPA inspectors in conducting a thorough and consistent inspection of a facility's compliance with the Spill Prevention, Control, and Countermeasure (SPCC) rule at 40 CFR part 112. It is a tool to help federal inspectors (or their contractors) record observations during the site visit and review of the SPCC Plan. While the checklist is 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/OECA inspection measures or GPRA).

The checklist is organized according to the SPCC rule. Each item in the checklist identifies the relevant section and paragraph in 40 CFR part 112 where that requirement is stated. Sections 112.1 through 112.5 specify the applicability of the rule and requirements for the preparation, implementation, and amendment of SPCC Plans. For these sections, the checklist includes data fields to be completed, as well as several questions with "yes" or "no" answers.

Sections 112.7 through 112.11 specify requirements for spill prevention, control, and countermeasures. For these sections, the inspector needs to evaluate whether the requirement is addressed adequately or inadequately in the SPCC Plan and whether it is implemented adequately in the field (either by field observation or record review). For the SPCC Plan and implementation in the field, if a requirement is addressed adequately, mark the "Yes" box in the appropriate column. If a requirement is not addressed adequately, mark the "No" box. If a requirement does not apply to the particular facility, mark the "NA" box. If a provision of the rule applies only to the SPCC Plan, the "Field" column is shaded.

Space is provided in each section to record comments. Additional space is available on the comments page at the end of the checklist. Comments should remain factual and support the evaluation of compliance.

Appendix A is for recording information about containers and other locations at the facility that require secondary containment.

Appendix B is a checklist for documentation of the tests and inspections the facility operator is required to keep with the SPCC Plan.

Appendix C is a checklist for oil removal contingency plans. A contingency plan is required if a facility determines that secondary containment is impracticable as provided in 40 CFR 112.7(d).

U.S. ENVIRONMENTAL PROTECTION AGENCY
SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST
 ONSHORE OIL PRODUCTION, DRILLING, AND WORKOVER FACILITIES

FACILITY INFORMATION			
FACILITY NAME:			
ADDRESS:		LAT:	LONG:
CITY:	STATE:	ZIP:	COUNTY:
TELEPHONE:	FACILITY REPRESENTATIVE NAME:		
OWNER NAME:			
OWNER ADDRESS:			
CITY:	STATE:	ZIP:	
TELEPHONE:	OWNER CONTACT PERSON:		
FACILITY OPERATOR NAME (IF DIFFERENT FROM OWNER – IF NOT, PRINT "SAME"):			
OPERATOR ADDRESS:			
CITY:	STATE:	ZIP:	
TELEPHONE:	OPERATOR CONTACT PERSON:		
FACILITY TYPE:		NAICS CODE:	
HOURS PER DAY FACILITY ATTENDED:		TOTAL FACILITY CAPACITY:	
TYPE(S) OF OIL STORED:			
IS FACILITY LOCATED IN INDIAN COUNTRY? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, RESERVATION NAME:			
INSPECTION INFORMATION			
INSPECTION DATE:	TIME:	INSPECTION NUMBER:	
LEAD INSPECTOR:			
OTHER INSPECTOR(S):			
INSPECTOR ACKNOWLEDGMENT			
<i>I performed an SPCC inspection at the facility specified above.</i>			
INSPECTOR SIGNATURE:			DATE:

FACILITY RESPONSE PLAN (FRP) APPLICABILITY

A non-transportation related onshore facility is required to prepare and implement an FRP as outlined in 40 CFR 112.20 if:

The facility transfers oil over water to or from vessels and has a total oil storage capacity greater than or equal to 42,000 gallons,
OR

The facility has a total oil storage capacity of at least 1 million gallons, and at least one of the following is true:

- The facility does not have secondary containment sufficiently large to contain the capacity of the largest aboveground tank plus sufficient freeboard for precipitation.
- The facility is located at a distance such that a discharge could cause injury to fish and wildlife and sensitive environments.
- The facility is located such that a discharge would shut down a public drinking water intake.
- The facility has had a reportable discharge greater than or equal to 10,000 gallons in the past 5 years.

Facility has FRP: Yes No Not Required FRP Number:

Facility has a completed and signed copy of Appendix C, Attachment C-II, "Certification of the Applicability of the Substantial Harm Criteria" Yes No

Comments:

SPCC GENERAL APPLICABILITY—40 CFR 112.1

IS THE FACILITY REGULATED UNDER 40 CFR part 112?

The completely buried oil storage capacity is over 42,000 gallons, **OR** the aggregate aboveground oil storage capacity is over 1,320 gallons Yes No **AND**

The facility is a non-transportation-related facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location could reasonably be expected to discharge oil into or upon the navigable waters of the United States (as defined in 40 CFR 110.1). Yes No

AFFECTED WATERWAY(S):

DISTANCE:

PATH:

Note: The following storage capacity is not considered in determining applicability of SPCC requirements:

- Completely buried tanks subject to all the technical requirements of 40 CFR part 280 or a state program approved under 40 CFR part 281.
- Equipment subject to the authority of the U.S. Department of Transportation, U.S. Department of the Interior, or Minerals Management Service, as defined in Memoranda of Understanding dated November 24, 1971, and November 8, 1993.
- Any facility or part thereof used exclusively for wastewater treatment (production, recovery or recycling of oil is not considered wastewater treatment).
- Containers smaller than 55 gallons.
- Permanently closed containers.

Does the facility have an SPCC Plan? Yes No

Comments:

REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION OF A SPCC PLAN—40 CFR 112.3

Date facility began operations:

Date of initial SPCC Plan preparation:

Current plan version (date/number):

- | | | |
|----------|---|--|
| 112.3(a) | For facilities in operation prior to August 16, 2002: | |
| | • Plan amended by February 17, 2006 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| | • Amended Plan implemented by August 18, 2006 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| | For facilities beginning operation between August 17, 2002, and August 18, 2006, Plan prepared and fully implemented by August 18, 2006 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |

REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION OF A SPCC PLAN—40 CFR 112.3

112.3(b) For facilities beginning operation after August 18, 2006, Plan prepared and fully implemented before beginning operations Yes No NA

112.3(d) Professional Engineer certification includes statement that the PE attests:

- PE is familiar with the requirements of 40 CFR part 112 Yes No
- PE or agent has visited and examined the facility Yes No
- Plan is prepared in accordance with good engineering practice including consideration of applicable industry standards and the requirements of 40 CFR part 112 Yes No
- Procedures for required inspections and testing have been established Yes No
- Plan is adequate for the facility Yes No

PE Name:

License No.:

State:

Date of certification:

112.3(e) Plan available onsite if facility is attended at least 4 hours/day (If located at nearest field office, please note contact information below) Yes No NA

Comments:

AMENDMENT OF SPCC PLAN BY REGIONAL ADMINISTRATOR (RA)—40 CFR 112.4

112.4(a) Has the facility discharged a reportable quantity of oil in amounts considered harmful more than 1,000 gallons of oil in a single discharge or more than 42 gallons in each of two discharges in any 12-month period (see 40 CFR part 110)? Yes No NA

• If yes, was information submitted to the RA as required in §112.4(a)? Yes No NA

- Date(s) of reportable discharge(s): Yes No NA
- Were they reported to the NRC? Yes No NA

112.4(d), (e) Have changes required by the RA been implemented in the Plan and/or facility? Yes No NA

Comments:

AMENDMENT OF SPCC PLAN BY THE OWNER OR OPERATOR—40 CFR 112.5

112.5(a) Has there been a change at the facility that materially affects the potential for a discharge? Yes No NA

• If so, was the Plan amended within six months of the change? Yes No NA

112.5(b) Review and evaluation of the Plan documented at least once every 5 years? Yes No NA

• Following Plan review, and if amendment was required, was Plan amended within six months to include more effective prevention and control technology, if available? Yes No NA

112.5(c) Professional Engineer certification of any technical Plan amendments in accordance with §112.3(d) Yes No NA

Name:

License No.:

State:

Date of certification:

Reason for amendment:

Amendments implemented within six months of any Plan amendment Yes No NA

Comments:

INDICATE IF ITEM IS ADDRESSED ADEQUATELY (Yes), INADEQUATELY (No), OR IS NOT APPLICABLE (NA) IN PLAN AND FIELD.

GENERAL SPCC REQUIREMENTS—40 CFR 112.7		PLAN	FIELD
Management approval at a level of authority to commit the necessary resources to fully implement the Plan		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Name:	Title:	Date:	
Plan follows sequence of the rule or provides a cross-reference of requirements in the Plan and the rule		<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Plan calls for facilities, procedures, methods, or equipment not yet fully operational, details of their installation and start-up are discussed (<i>Note: Relevant for inspection evaluation and testing baselines.</i>)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
112.7(a)(2)	If there are deviations from the requirements of the rule, the Plan states reasons for nonconformance	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	Alternative measures described in detail and provide equivalent environmental protection (<i>Note: Inspector should document if the environmental equivalence is implemented in the field</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Describe each deviation and reasons for nonconformance:			
112.7(a)(3)	Plan includes diagram with location and contents of all regulated containers (including completely buried tanks otherwise exempt from the SPCC requirements), transfer stations, and connecting pipes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(a)(3) Plan addresses each of the following:			
	(i) For each container, type of oil and storage capacity (see Appendix A)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	(ii) Discharge prevention measures, including procedures for routine handling of products	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	(iii) Discharge or drainage controls, such as secondary containment around containers, and other structures, equipment, and procedures for the control of a discharge	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	(iv) Countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	(v) Methods of disposal of recovered materials in accordance with applicable legal requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors contracted to respond to a discharge, and all Federal, State, and local agencies who must be contacted in the case of a discharge as described in §112.1(b)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
Comments:			

INDICATE IF ITEM IS ADDRESSED ADEQUATELY (Yes), INADEQUATELY (No), OR IS NOT APPLICABLE (NA) IN PLAN AND FIELD.

GENERAL SPCC REQUIREMENTS—40 CFR 112.7		PLAN	FIELD
112.7(a)(4)	Plan includes information and procedures that enable a person reporting a discharge as described in §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 §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 (Not required if a facility has an FRP)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
112.7(a)(5)	Plan organized so that portions describing procedures to be used when a discharge occurs will be readily usable in an emergency (Not required if a facility has an FRP)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
112.7(b)	Plan includes a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(c)	Appropriate containment and/or diversionary structures provided to prevent a discharge as described in §112.1(b) before cleanup occurs. The entire containment system, including walls and floors, is capable of containing oil and is constructed to prevent escape of a discharge from the containment system before cleanup occurs. (1) For onshore facilities , one of the following or its equivalent: (i) dikes, berms, or retaining walls sufficiently impervious to contain oil, (ii) curbing, (iii) culverting, gutters or other drainage systems, (iv) weirs, booms or other barriers, (v) spill diversion ponds, (vi) retention ponds, or (vii) sorbent materials (See Appendix A)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(d)	Determination(s) of impracticability of secondary containment	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	If YES , is the impracticability of secondary containment clearly demonstrated?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	Comments concerning impracticability determination(s) for secondary containment:		
	If impracticability determination is made, for bulk storage containers, periodic integrity testing of containers and leak testing of the valves and piping (associated with the container) is conducted	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	If impracticability determination is made, unless facility has FRP: (1) Contingency Plan following 40 CFR part 109 (see Appendix C) is provided AND	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	(2) Written commitment of manpower, equipment, and materials required to control and remove any quantity of oil discharged that may be harmful	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(e)	Inspections and tests conducted in accordance with written procedures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	Record of inspections or tests signed by supervisor or inspector and kept with Plan for at least 3 years (see Appendix B checklist)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Comments:			

INDICATE IF ITEM IS ADDRESSED ADEQUATELY (Yes), INADEQUATELY (No), OR IS NOT APPLICABLE (NA) IN PLAN AND FIELD.

GENERAL SPCC REQUIREMENTS—40 CFR 112.7		PLAN	FIELD
112.7(f) Personnel, training, and oil discharge prevention procedures			
(1)	Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules and regulations; general facility operations; and contents of SPCC Plan	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(2)	Person designated as accountable for discharge prevention at the facility	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(3)	Discharge prevention briefings conducted at least once a year for oil handling personnel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(h) Tank car and tank truck loading/unloading rack*			
(1)	Does loading/unloading area (the location adjacent to the loading or unloading rack) drainage flow to catchment basin or treatment facility? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If NO, quick drainage system used 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	Containment system holds capacity of the largest single compartment of a tank car/truck loaded/unloaded at the facility	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(2)	Physical barriers, warning signs, wheel chocks, or vehicle brake interlock system in loading/unloading areas (the location adjacent to the loading or unloading rack) to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(3)	Lower-most drains and all outlets on tank cars/trucks inspected prior to filling/departure, and if necessary ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(i) Brittle fracture evaluation of field-constructed aboveground containers			
112.7(i)	Brittle fracture evaluation is conducted after tank repair/alteration/change in service that might affect the risk of a discharge or after a discharge/failure due to brittle fracture or other catastrophe and appropriate action taken as necessary (for field-constructed aboveground containers)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.7(j) State rules, regulations and guidelines and conformance with applicable sections of 40 CFR part 112			
112.7(j)	Discussion of conformance with applicable more stringent State rules, regulations, and guidelines and other effective discharge prevention and containment procedures listed in 40 CFR part 112	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
Comments:			
<p>* Note that a tank car/truck loading/unloading rack must be present for §112.7(h) to apply. Though this requirement applies to all facilities, loading and unloading rack equipment is often not present at typical production facilities.</p>			

INDICATE IF ITEM IS ADDRESSED ADEQUATELY (Yes), INADEQUATELY (No), OR IS NOT APPLICABLE (NA) IN PLAN AND FIELD.

ONSHORE OIL PRODUCTION FACILITIES—112.9		PLAN	FIELD
112.9(b) Oil production facility drainage			
(1)	At tank batteries, separation and treating areas where there is a reasonable possibility of a discharge as described in §112.1(b), drainage is closed and sealed except when draining uncontaminated rainwater. Accumulated oil on the rainwater is returned to storage or disposed of in accordance with legally approved methods	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Prior to drainage, diked area inspected and action taken as provided in §112.8(c)(3)(ii), (iii), and (iv):			
	<ul style="list-style-type: none"> 112.8(c)(3)(ii) Retained rainwater is inspected to ensure that its presence will not cause a discharge as described in §112.1(b) 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	<ul style="list-style-type: none"> 112.8(c)(3)(iii) Bypass valve opened and resealed under responsible supervision 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	<ul style="list-style-type: none"> 112.8(c)(3)(iv) Adequate records of drainage are kept; for example, records required under permits issued in accordance with §122.41(j)(2) and (m)(3) 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(2)	Field drainage systems and oil traps, sumps, or skimmers inspected at regularly scheduled intervals for oil, and accumulations of oil promptly removed	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.9(c) Oil production facility bulk storage containers			
(1)	Containers used are compatible with material stored and conditions of storage	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(2)	Secondary containment provided for all tank battery, separation and treating facilities with capacity to hold the largest single container and sufficient freeboard for precipitation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	Drainage from undiked areas safely confined in a catchment basin or holding pond	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(3)	Periodically and upon a regular schedule, visually inspect containers on or above the surface of the ground for deterioration and maintenance needs, including foundations and supports	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(4)	New and old tank batteries engineered/updated in accordance with good engineering practices to prevent discharges including at least one of the following: (i) adequate container capacity to prevent overflow if regular pumping/gauging is delayed; (ii) overflow equalizing lines between containers so that a full container can overflow to an adjacent container; (iii) vacuum protection to prevent container collapse; or (iv) high level sensors to generate and transmit an alarm to the computer where the facility is subject to a computer production control system	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Comments:			

INDICATE IF ITEM IS ADDRESSED ADEQUATELY (Yes), INADEQUATELY (No), OR IS NOT APPLICABLE (NA) IN PLAN AND FIELD.

ONSHORE OIL PRODUCTION FACILITIES—112.9		PLAN	FIELD
112.9(d) Facility transfer operations			
(1)	All aboveground valves and piping associated with transfer operations are inspected periodically and upon a regular schedule. Include the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(2)	Saltwater (oil field brine) disposal facilities inspected often to detect possible system upsets capable of causing a discharge, particularly following a sudden change in atmospheric temperature	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
(3)	Flowline maintenance program to prevent discharges from each flowline is established	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Comments:			

ONSHORE OIL DRILLING AND WORKOVER FACILITIES—112.10		PLAN	FIELD
112.10(b)	Mobile drilling or workover equipment is positioned or located to prevent a discharge as described in §112.1(b)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.10(c)	Catchment basins or diversion structures are provided to intercept and contain discharges of fuel, crude oil, or oily drilling fluids.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
112.10(d)	Blowout prevention (BOP) assembly and well control system installed before drilling below any casing string or during workover operations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
	BOP assembly and well control system capable of controlling any well-head pressure that may be encountered while on the well	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Comments:			

SPCC INSPECTION AND TESTING CHECKLIST

Appendix B: Required Documentation of Tests and Inspections

Records of inspections and tests required by 40 CFR part 112 signed by the appropriate supervisor or inspector must be kept with the SPCC Plan for a period of three years. Records of inspections and tests conducted under usual and customary business practices will suffice. Documentation of the following inspections and tests should be kept with the SPCC Plan.

Inspection or Test	Documentation		Not Applicable
	Present	Not Present	
112.7–General SPCC Requirements			
(a) Integrity testing is conducted for bulk storage containers with no secondary containment system and for which an impracticability determination has been made			
(d) Integrity and leak testing of valves and piping associated with bulk storage containers with no secondary containment system and for which an impracticability determination has been made			
(i) Evaluate field-constructed aboveground containers for potential for brittle fracture or other catastrophic failure when the container undergoes a repair, alteration, reconstruction or change in service			
112.9–Onshore oil production facilities			
(b)(1) Rainwater released directly from diked containment areas to a storm drain or open watercourse inspected and records of drainage kept			
(b)(2) Field drainage systems, oil traps, sumps, and skimmers inspected regularly for oil, and accumulations of oil promptly removed			
(c)(3) Regular visual inspections of containers, foundations and supports for deterioration and maintenance needs			
(d)(1) All aboveground valves and piping associated with transfer operations are regularly inspected			
(d)(2) Saltwater disposal facilities inspected often to detect possible system upsets capable of causing a discharge			
(d)(3) Specific and individual inspection, testing, and/or evaluation requirements as required by facility's flowline maintenance program			
Comments:			

SPCC CONTINGENCY PLAN REVIEW CHECKLIST

Appendix C: 40 CFR Part 109—Criteria for State, Local and Regional Oil Removal Contingency Plans

If a facility makes an impracticability determination for secondary containment in accordance with §112.7(d), it is required to provide an oil spill contingency plan following 40 CFR part 109.

109.5—Development and implementation criteria for State, local and regional oil removal contingency plans*	Yes	No
(a) Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations.		
(b) Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including:		
(1) The identification of critical water use areas to facilitate the reporting of and response to oil discharges.		
(2) A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered.		
(3) Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., NCP).		
(4) An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority.		
(c) Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including:		
(1) The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally.		
(2) An estimate of the equipment, materials and supplies which would be required to remove the maximum oil discharge to be anticipated.		
(3) Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge.		
(d) Provisions for well defined and specific actions to be taken after discovery and notification of an oil discharge including:		
(1) Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel.		
(2) Predesignation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans.		
(3) A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations.		
(4) Provisions for varying degrees of response effort depending on the severity of the oil discharge.		
(5) Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses.		
(e) Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances.		

* The contingency plan should be consistent with all applicable state and local plans, Area Contingency Plans, and the National Contingency Plan (NCP).