

# What to Expect When Implementing SPCC Plans

CUPA Programs and Stormwater Workshop 2024

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**CONDOR**  
An Employee Owned Company

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**CONDOR EARTH**

Sonora, Stockton, Jamestown, Rancho Cordova

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# Audience Question 1:

How do you interact with SPCC Plans?



# Course Overview

- ▶ Non-Qualified Facility vs. Qualified Facility SPCC Plans
- ▶ SPCC Plan Implementation
  - Training
  - Integrity Inspections
  - Oil Spill Response
- ▶ 5-Year SPCC Reviews and Amendments
  - Process
  - Examples
  - Timeline

# Qualified Facilities

- ▶ Non-Qualified Facilities (Tier I and Tier II) Criteria
  - Less than 10,000 gallons of aboveground oil storage
  - In the past 3 years has not had:
    - A single discharge of 1,000 gallons of oil or
    - Two discharges of 42 gallons of oil within one year

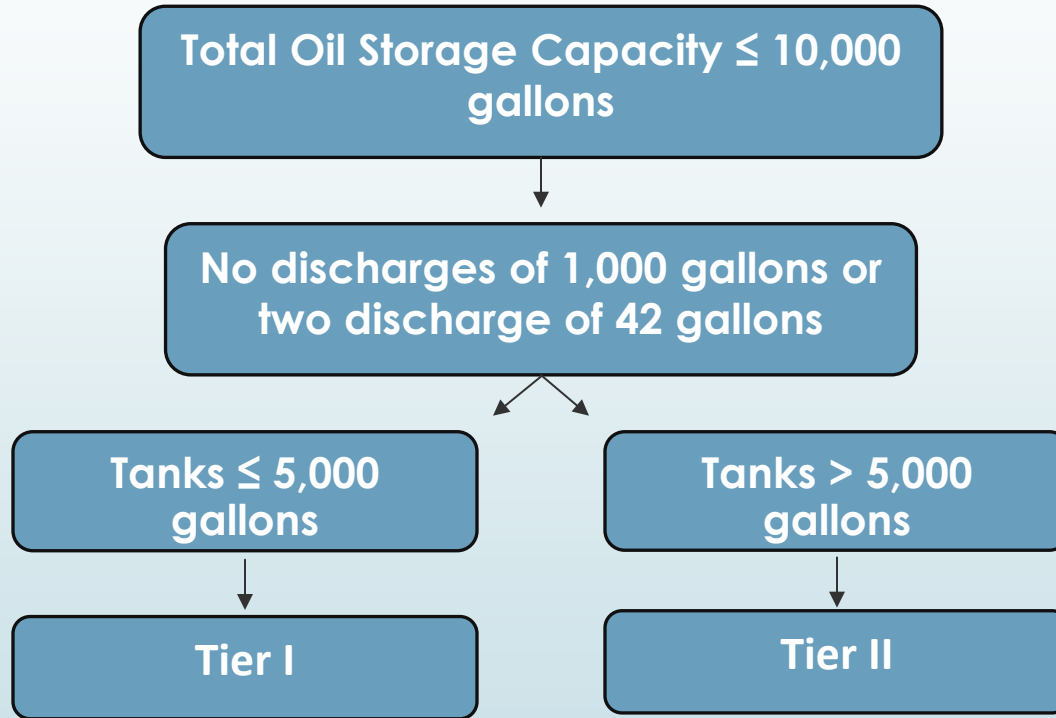


# Qualified Facilities

- ▶ Discharge Definition 40 CFR 112.1 (b)
  - Release oil that may be harmful into or upon the navigable waters of the United States or adjoining shorelines
- ▶ Discharges that “may be harmful” 40 CFR 110.3
  - Violate applicable water quality standards
  - Cause a film or sheen
  - Cause a sludge or emulsion to be deposited



# Qualified Facilities



# Qualified Facilities

- ▶ Tier I Qualified Facilities 40 CFR 112.6(a)  
May prepare and implement SPCC Plan following:
  - [Tier I template](#) from Appendix G to part 112;
  - [Tier II template](#) from Office of the State Fire Marshal;
  - Equivalent SPCC Plan with cross-section reference; or
  - PE Certified SPCC Plan.



# Audience Question 2:

Have you prepared an SPCC Plan with the Tier I Template?



# Qualified Facilities

## ► Tier I Self-Certification

- You are familiar with the applicable requirements of [40 CFR part 112](#);
- You have visited and examined the facility;
- You prepared the Plan in accordance with accepted and sound industry practices and standards;
- You have established procedures for required inspections and testing in accordance with industry inspection and testing standards or recommended practices;
- You will fully implement the Plan;
- The facility meets the qualification criteria in [§ 112.3\(g\)\(1\)](#);
- The Plan does not deviate from any requirement of this part as allowed by [§ 112.7\(a\)\(2\)](#) and [112.7\(d\)](#) or include measures pursuant to [§ 112.9\(c\)\(6\)](#) for produced water containers and any associated piping; and
- The Plan and individual(s) responsible for implementing this Plan have the approval of management, and the facility owner or operator has committed the necessary resources to fully implement this Plan.

# Qualified Facilities

## ► Tier II Self-Certification

- You are familiar with **the requirements of this part**;
- You have visited and examined the facility;
- You prepared the Plan in accordance with accepted and sound industry practices and standards, **and with requirements of this part**;
- ~~You have established~~ Procedures for required inspections and testing **have been established** ~~in accordance with industry inspection and testing standards or recommended practices~~;
- You will fully implement the Plan;
- The facility meets the qualification criteria in [§ 112.3\(g\)\(2\)](#);
- The Plan does not deviate from any requirement of this part as allowed by [§ 112.7\(a\)\(2\)](#) and [112.7\(d\)](#) or include measures pursuant to [§ 112.9\(c\)\(6\)](#) for produced water containers and any associated piping, **except as provided in [paragraph \(b\)\(3\)](#) of this section**; and
- The Plan and individual(s) responsible for implementing this Plan have the approval of management, and the facility owner or operator has committed the necessary resources to fully implement this Plan.

# Qualified Facilities

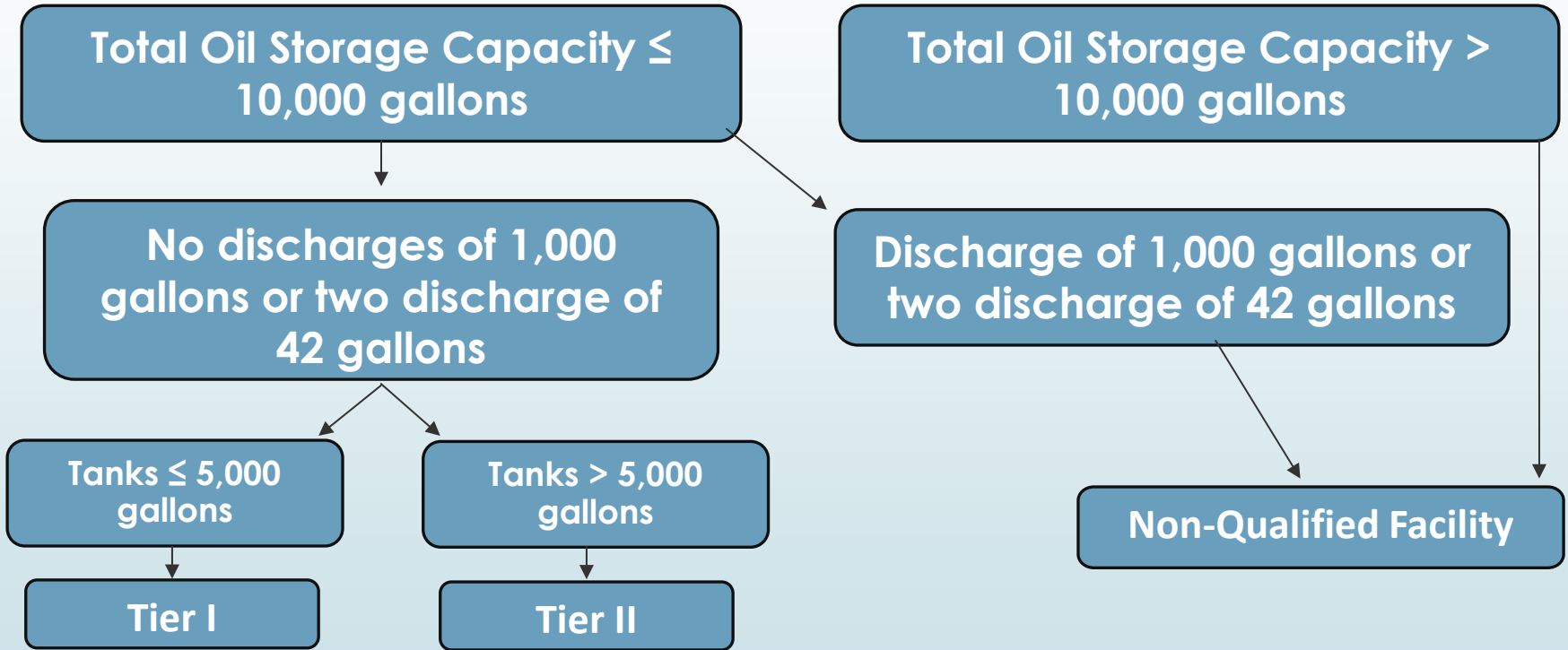
- ▶ Tier II Qualified Facility
  - Prepare a self-certified Plan which meets Tier II EPA regulatory requirements
  - A [Tier II template](#) from Office of the State Fire Marshal (OSFM) is available to the public

# Audience Question 3:

What is significant about tanks with a capacity of 5,001-gallons or greater?



# Non-Qualified Facilities



# Non-Qualified Facilities

- ▶ Non-Qualified Facility
  - Requires full PE certified SPCC Plan



# SPCC Overview

- ▶ The SPCC Plan is a facility-specific document to protect the navigable waterways through:
  - Procedures to minimize the potential for oil to **Spill**
  - **Prevention** of oil discharges through containment
  - **Control** measures to keep oil discharges from impacting shorelines and waters of the U.S.
  - **Countermeasures** to contain, clean-up, and mitigate discharges through spill response measures



# SPCC Overview

- ▶ The following information must be included in SPCC Plans:
  - **Oil containers** at the facility including the **contents, capacity, and location** of each container;
  - **Procedures** that you will **use to prevent oil spills**;
  - **Measures** you installed **to prevent oil from reaching water**;
  - **Measures** you will use **to contain and cleanup an oil spill**; and
  - **Emergency contacts and first responders.**

# SPCC Overview

- ▶ The following information must be included in SPCC Plans:
  - Use **containers suitable for the oil stored**;
  - Identify **contractors or other local personnel** who can help you clean up an oil spill;
  - Provide **overflow prevention** for your oil storage containers;
  - Provide **effective, sized secondary containment** for bulk storage containers;
  - Provide effective, **general secondary containment**; and
  - **Periodically inspect and test** pipes and containers when they are installed or repaired.
    - Keep a written record of your inspections.

# Oil Spill/Discharge Requirements

- ▶ “Sheen Rule” Discharges that may be harmful:
    - Violates state water quality standards,
    - Causes a film or sheen on the water’s surface, or
    - Leaves sludge or emulsion beneath the surface.
  - Not based on amount of oil discharged
  
  - ▶ Contact list and phone numbers
- [40 CFR 112.7\(a\)\(3\)\(vi\)](#)
- National Response Center (NRC)
  - Cleanup contractors
  - Federal, State and local agencies



# Oil Spill/Discharge Requirements

- ▶ Oil spill/discharge [40 CFR 112.4](#)
  - Report the EPA Regional Administrator (RA) when there is a discharge of:
    - More than 1,000 gallons of oil in a single discharge to navigable waters or adjoining shorelines
    - More than 42 gallons of oil in each of two discharges to navigable waters or adjoining shorelines within a 12-month period
    - An owner/operator must report the discharge(s) to the EPA Regional Administrator within 60 days



# Oil Spill/Discharge Requirements

## APSA

- ▶ Petroleum spill/discharge
  - ANY significant release/threatened release
    - Local and State Agencies
      - California Governor's Office of Emergency Services (Cal OES)
      - CUPA
      - California Regional Water Quality Control Board (Regional Board)
      - Fire department



# Oil Spill/Discharge Requirements

- ▶ Documentation
  - Reportable spills must be recorded
  - Retain with SPCC Plan for 3 years



**SPILL REPORTING FORM**  
CLIENT NAME – FACILITY NAME  
Address  
City, State Zip Code

Date and Time of Release: \_\_\_\_\_

Date and Time of Discovery: \_\_\_\_\_

Material released: \_\_\_\_\_

Quantity of material released: \_\_\_\_\_

Quantity of material released to a waterbody: \_\_\_\_\_

Location of release: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Source of release: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What response was taken to mitigate the spill: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Was spill stopped and contained?     Yes    No

Did the spill reach:	Air	<input type="checkbox"/> Yes* <input type="checkbox"/> No	Storm water System	<input type="checkbox"/> Yes* <input type="checkbox"/> No
	Water	<input type="checkbox"/> Yes* <input type="checkbox"/> No	POTW	<input type="checkbox"/> Yes* <input type="checkbox"/> No
	Soil	<input type="checkbox"/> Yes* <input type="checkbox"/> No	Adjacent Properties	<input type="checkbox"/> Yes* <input type="checkbox"/> No
	Containment	<input type="checkbox"/> Yes* <input type="checkbox"/> No	Waterbody	<input type="checkbox"/> Yes* <input type="checkbox"/> No

What measures have been implemented to prevent future spills/releases: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Has the Emergency Response Agency Notification Form been completed:     Yes    No



# ASPA Requirements

- ▶ APSA regulates tank facilities that are subject to the federal SPCC rule.

[California Health and Safety Code, Division 20, Chapter 6.67](#)

- Scope and exemptions
- Requirements for tank facilities
- Implementation by the unified program agency





# ASPA Requirements

- ▶ ASPA Inspections
  - 10,000 gallons or more of petroleum
  - Once every 3 years
- ▶ Review of SPCC Plan
  - All tank facilities with aggregate petroleum capacity of 1,320 gallons or more
- ▶ Owner/operator
  - File a tank facility statement with the CUPA
    - Annually, on or before date specified by local CUPA
    - A complete business plan MAY satisfy this requirement
  - Pay a fee to the CUPA





# SPCC Plan Implementation

- ▶ Contents of the SPCC Plan
- ▶ Supplemental Documentation
  - Training
  - Inspections
  - Spill History
  - 5-year evaluation and review
  - Amendments



# SPCC Plan Implementation

- ▶ Training
  - For personnel working around or with oil
  - Initial and annual refresher, including spill briefings
- ▶ Documentation
  - Roster with training topics
  - Filed with SPCC Plan for 3 years



**SPILL PREVENTION, CONTROL, AND COUNTERMEASURES  
COMPLIANCE TRAINING**

Client Name – Facility Name

Address

City, State Zip Code

**Training to Include:**

- The contents of the facility SPCC Plan and the applicable pollution control laws, rules, and regulations.
- Filling and dispensing procedures
- Tanker truck loading, transport, and dispensing operations
- Spill response and notification procedures (land and water spills)
- Discussion of past spill/leaks
- Compressor operation/hydraulic tank operation
- Inspection requirements and proper completion of forms

Name of Trainer: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Employee	Signature	Job Title
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Print additional sheets as necessary.



# SPCC Plan Implementation

- ▶ Integrity Inspections
  - Bulk Storage Containers
    - Type and frequency based on container design
    - Qualified personnel
- ▶ Documentation
  - Retain records for 3 years
  - Formal tank inspections and testing retain for life of the tank



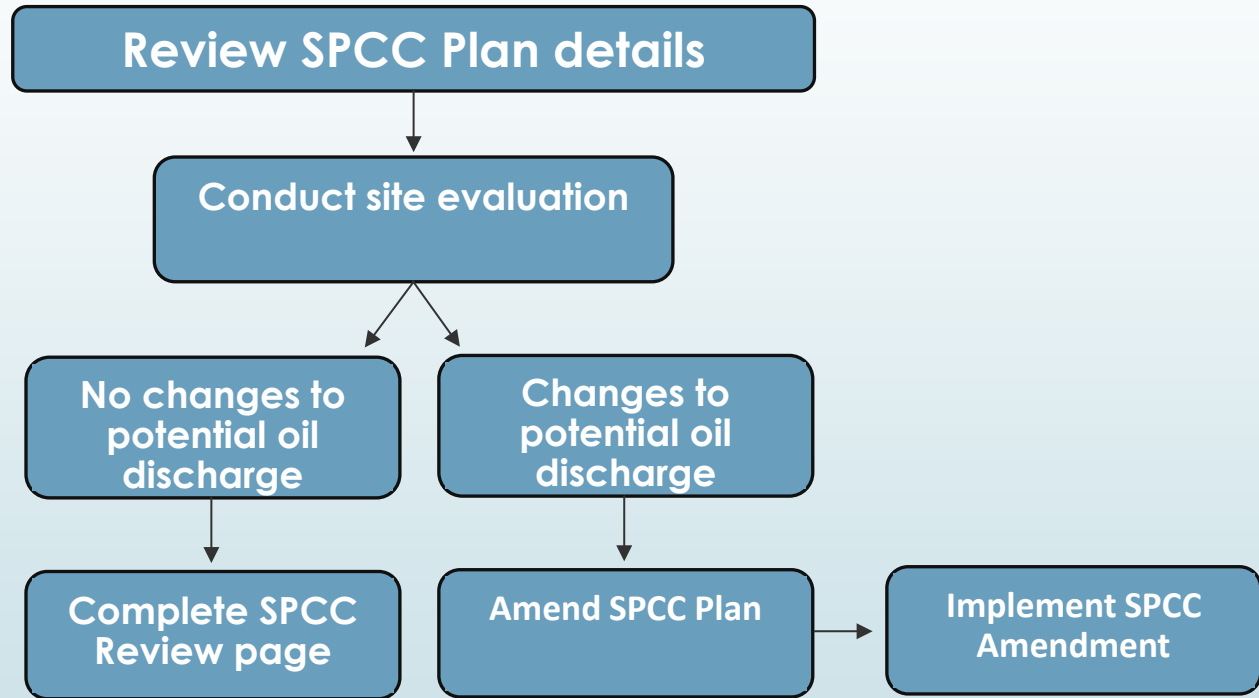
# SPCC Plan Implementation

- ▶ SPCC Plan 5-Year Review
  - Required within 5 years of last site evaluation and plan review
  - Consists of review of Plan and Facility to indicate if an amendment is required
- ▶ Documentation
  - Review page and indicate if an amendment is needed

*"The only thing that is constant is change"  
- Greek Philosopher*



# 5-Year Review





# Site Evaluation Findings

- ▶ Technical or Non-Technical Amendment?
  - Technical Amendment (§ 112.5)
    - Change in the facility design, construction, operation, or maintenance that materially affects its potential for a discharge (112.1(b)).
  - Non-technical amendments
    - Administrative changes not materially affecting the facility's potential to discharge oil
    - Changes to ownership, emergency contacts, phone numbers, or names
    - Product changes compatible with existing tank/secondary containment conditions
    - Replacing identical quality/capacity/number containers or equipment

# Site Evaluation Findings

- ▶ SPCC Plan (Administrative):
  - Emergency contact changed (i.e., Facility Response Coordinator)
  - Emergency clean-up contractor changed (i.e., Safety Kleen to Ramos Environmental)

**SPILL PREVENTION, CONTROL, AND  
COUNTERMEASURE PLAN**

**Client Name**  
**Facility Name**  
**Address**  
**City, State Zip Code**

**SPCC Plan Preparation Prior to Facility Becoming Operational?**

**[40 CFR 112.3(b)(1)]**

**Yes**  
 **No**

Original Date of Plan: ..... Month Day, Year  
Date of Previous Plan Review/Amendment /P.E. Certification: .. Month Day, Year  
Date of Site Evaluation and Plan Review: ..... Month Day, Year  
Date of Plan Amendment: ..... Month Day, Year  
Next review date on or before: ..... Month Day, Year

**Designated Person Accountable for Spill Prevention:**

**Name, Title**  
**Address**  
**State, City Zip**  
**Telephone Number**

**CERTIFICATION**  
**[40 CFR 112.3(d)]**

I have visited the Facility and, being familiar with the provisions of 40 CFR Part 112, I attest that this Spill Prevention, Control, and Countermeasure Plan (SPCC) Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, that procedures for required inspections and testing have been established, and this Plan is adequate for the Facility.

Client is solely responsible for implementation of this SPCC Plan. This SPCC Plan is not complete without full implementation of the requirements of 40 CFR Part 112 and of the recommendations found in the SPCC Plan letter dated.

**Engineer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Registration Number:** \_\_\_\_\_

**State:** \_\_\_\_\_

**SEAL**

**Date:** \_\_\_\_\_

**SPILL PREVENTION, CONTROL, AND COUNTERMEASURE  
COMPLIANCE INSPECTION PLAN  
REVIEW PAGE**

**Client Name  
Facility Name**

In accordance with 40 CFR 112.5(b), a review and evaluation of this Spill Prevention, Control, and Countermeasure (SPCC) Plan is conducted at least once every 5 years<sup>1</sup>. As a result of this review and evaluation, Client Name will amend the SPCC Plan within 6 months of the review to include more effective prevention and control technology if: (1) such technology will significantly reduce the likelihood of a spill event from the Facility, and (2) such technology has been field-proven at the time of review. Amendment to the SPCC Plan shall be certified by a Professional Engineer within 6 months after a change in the Facility design, construction, operation, or maintenance occurs which materially affects the Facility's potential for the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines.

	<b>Review Dates</b>	<b>Comment</b>	<b>Signature</b>	<b>Amend Plan</b>	<b>Site Evaluation</b>
1.	Month Day, Year	New Plan	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.	Month Day, Year	Non-Technical Amendment: Contacts	_____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3.	Month Day, Year	5-Year Review & Site Evaluation	_____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4.	Month Day, Year	Technical Amendment: Added T7 and T8	_____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5.	_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.	_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

**'NEXT REVIEW DATE ON OR BEFORE MONTH, DAY, YEAR**

**MANAGEMENT APPROVAL**

Client Name is committed to the prevention of discharges of oil to navigable waters and the environment, and maintains high standards for spill prevention, control, and countermeasures through regular review, update, and implementation of this Spill Prevention, Control, and Countermeasure Plan.

Authorized Facility Representative:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



# Site Evaluation Findings

- ▶ Documentation (Implementation)
  - Non-reportable spills not recorded or “never happen”
  - Secondary drainage forms not completed
  - Training not completed annually
  - Other regulatory program training used in place of SPCC training requirements
  - Pencil whipped inspection forms
  - Unresolved deficiencies recorded in inspection forms month after month

# Site Evaluation Findings

- ▶ Containers (Technical):
  - Change in oil storage location(s) (i.e., Maintenance Shop to Hazardous Materials Shed)
  - New oil added to Facility of 55-gallons or greater (i.e., kerosene)
  - Previously existing oil of 55-gallons or greater removed (i.e., cobalt)

# Site Evaluation Findings: Oil Storage Location Changes



# Site Evaluation Findings: New Oil Added / Existing Oil Removed





# Site Evaluation Findings

- ▶ Tanks (Technical):
  - Tank replacement(s)
  - New or used empty tanks
  - Permanently closed tanks

# Site Evaluation Findings: Tanks Replaced



# Site Evaluation Findings: Used Empty Tanks



# Site Evaluation Findings: Used Empty Tanks



# Site Evaluation Findings

- ▶ Miscellaneous (Good Engineering Practices):
  - Insufficient tank normal or emergency venting
  - Tanks without emergency response signage (i.e., NFPA diamonds, flammable, combustible, no smoking or open flames)
  - Oil storage areas without emergency response procedures and contact information
  - Fuel dispenser hosing resting on ground surface

# Site Evaluation Findings: Insufficient Ventilation



# Site Evaluation Findings: Fuel Dispenser Hosing Practices



# Site Evaluation Findings: Tank Fill Box Condition





# Audience Question 4:

How often must an owner or operator perform a site evaluation and review their Facility's SPCC Plan?



# SPCC Plan Implementation

- ▶ SPCC Plan Amendments
  - Required within 6 months of a change:
    - **Administrative** – personnel name change, response company changed
    - **Technical** – improved spill and discharge prevention measures, change in discharge potential, changed tanks, removed tanks, added tanks, equipment install, etc.

# SPCC Plan Implementation

- ▶ Documentation
  - Tier I and Tier II Qualified Facilities
    - Certification completed by authorized person
  - Non-Qualified Facility
    - Certified Engineer amendment signed and stamped
- ▶ Implementation of changes required within 6 months of Plan amendment

**SPILL PREVENTION, CONTROL, AND  
COUNTERMEASURE PLAN**

**Client Name**  
**Facility Name**  
**Address**  
**City, State Zip Code**

**TECHNICAL AMENDMENT CERTIFICATION**

Refer to revision ## of the Compliance Inspection Plan Review  
[40 CFR 112.3(d)]

My representative has visited the Facility and, being familiar with the provisions of 40 CFR Part 112, I attest that this *Technical Amendment* to the Spill Prevention, Control, and Countermeasure Plan (SPCC) Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, that procedures for required inspections and testing have been established, and this Plan is adequate for the Facility.

Client is solely responsible for implementation of this SPCC Plan Amended date.

**Engineer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Registration Number:** \_\_\_\_\_

**State:** \_\_\_\_\_

**SEAL**

**Date:** \_\_\_\_\_

# Audience Question 5:

When must an owner or operator of an applicable Facility amend their SPCC Plan?



# Summary

## SPCC Rule Requirements

- ▶ **Prepare** an SPCC Plan with Code of Federal Regulations (CFR)
- ▶ **Implement** SPCC Plan
- ▶ **Update** SPCC Plan



# Summary

## ASPA Requirements

- ▶ **Prepare** an SPCC Plan
- ▶ **File a tank facility statement**/annual certification of the business plan
- ▶ **Submit** required **annual fee**
- ▶ Implement SPCC Plan
- ▶ Update SPCC Plan
- ▶ **Comply with other APSA requirements**



QUESTIONS?





# CONDOR EARTH

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## Tank and Container Inspections

CUPA Programs and Stormwater Workshop

August 29, 2024



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