

Managing Oil Sources at Agricultural Facilities

It's More Than Just Compliance

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Do you know how much oil/fuel you store in aboveground containers at your facility? If you have more than 1,320 gallons, you may need an SPCC Plan. What is an SPCC Plan? SPCC stands for Spill Prevention, Control, and Countermeasure, and it is a federal rule (40 CFR 112 in the Federal Register) designed to prevent oil-based products from entering navigable waterways of the U.S. But it's about more than just compliance. It's an important tool to help you limit your liability.

At agricultural facilities, the focus from an environmental compliance perspective tends to be on fertilizers and pesticides. However, facilities covered under the SPCC rule are subject to agency inspections and potential enforcement actions if the facility's practices are found to be out of compliance.

Does the SPCC rule apply to me?

The 1,320 gallon threshold isn't the only trigger for an SPCC Plan. One of the keys to take away from the SPCC rule is that it does not count oil/fuel storage in containers less than 55-gallons in size. Another trigger is that a facility must reasonably be expected to discharge oil into navigable waters or adjoining shorelines of the U.S. The Environmental Protection Agency (EPA) does not define

what "reasonably be expected" means. Rather, the responsibility is on the facility owner or operator to determine the potential for a discharge. In reality, it's usually easy to think of a scenario where spilled oil could reach a waterway. Even if you think a spill would never reach the stream, what if there was a large rain event that washed away spilled oil on the ground through a storm sewer? Often times the "reasonably be expected" is not challenged, so it's best to err on the side of caution.

The SPCC rule applies to my facility, now what?

There are three options: 1) Prepare the plan yourself. 2) Use a third party provider to prepare your plan, or 3) Have a licensed professional engineer prepare your plan. The option you choose depends on how much oil you store at your facility and your working knowledge of the SPCC rule.

If you have less than 10,000 gallons of oil and no single aboveground oil storage container with a capacity greater than 5,000 U.S. gallons, you may be able to prepare your own SPCC Plan, following the EPA's Tier I qualified facility template.

You can download the EPA's Tier I qualified facility template. <https://www.epa.gov/sites/production/files/2014-05/documents/tier1template.pdf>. Our

experience with the EPA's Tier I qualified facility template has been mixed. It is the cheapest way to comply with the SPCC rule. However, customers have told us that it's not very user friendly.

If you have less than 10,000 gallons of oil and have a single aboveground oil storage container with a capacity greater than 5,000 U.S. gallons, you could qualify under the EPA's Tier 2 qualified facility category. The EPA does not provide a plan template for a Tier II qualified facility. You can still prepare the plan yourself, or you may hire a third party or professional engineer to prepare the plan for you.

If your facility has greater than 10,000 gallons of oil storage, you must have a licensed professional engineer prepare your facility's SPCC Plan.

Working on an SPCC Plan with a Third Party Provider

If you decide to work with a third party provider, here are some things you can expect as part of the process. The provider will conduct a facility site visit to review the oil storage. Prepare to have a staff member familiar with the oil storage escort the provider to each of the sources. The provider will ask questions about spill prevention features at each source location, including secondary containment, overflow protection, and interstitial monitoring, if applicable.

After visiting the oil sources, the provider may ask to see any available tank data such as specifications, current inspection protocol, and tank repair or integrity testing documentation. You can eliminate follow-ups and help keep costs down by having this data available for review.

Following the site visit, the provider will prepare an SPCC Plan that you should review for accuracy before implementation.

The Value of an SPCC Plan for Your Facility

An SPCC Plan is about more than just compliance. An SPCC Plan contains inspection forms and protocols that can help to prevent a spill at your facility. It identifies the single point of contact, an "SPCC Coordinator" for the facility. If there is a spill, the Plan contains steps necessary to ini-

tially contain and control the spill, and the proper contacts to notify internally and externally.

The SPCC rule requires all oil-handling personnel receive annual training to properly respond to spills in their work areas. The annual training requirement is another key element to spill prevention, but also covers aspects on how to properly take control and countermeasure actions in the event of an oil spill.

Work with your staff to determine if the SPCC rule applies to you. An SPCC Plan is a required document for certain facilities to help you comply with the SPCC rule and gain the benefits of having a plan in place. But more than that, it's a practical document that's designed to assist with training and inspections, and to help prevent spills from occurring. And if spills do occur, an SPCC Plan provides the guidance to help control the spill and limit your liability.

Chris Jimieson and Jared Omernik have more than 26 years' combined experience helping agricultural companies with environmental compliance. Chris and Jared have extensive experience helping co-op owners build and review SPCC and Storm Water Pollution Prevention Plan (SWPPP) projects. For questions about the SPCC rule or how to comply, Contact Chris at cjimieson@scsengineers.com or 608-216-7367, or contact Jared at jomernik@scsengineers.com or 608-216-7348.



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