

Amended SPCC Requirements Finalized in November 2008

On November 20, 2008, EPA amended the Spill Prevention, Control, and Countermeasure (SPCC) rule to provide clarity, tailor requirements to particular industry sectors, and streamline certain requirements while maintaining protection of human health and the environment. As part of the Oil Pollution Prevention regulation (40 CFR part 112), the SPCC rule outlines requirements for prevention of, preparedness for, and response to oil discharges. Regulated facilities must develop and implement SPCC Plans that establish procedures and equipment requirements to help prevent oil discharges from reaching navigable waters or adjoining shorelines.

Changes Finalized by EPA in the November 2008 Amendments of the Highest Priority to the Members of the American Petroleum Institute (API):

Streamlining and Additional Flexibility for All Regulated Facilities:

- Defines "loading/unloading rack" to clarify the equipment subject to the provisions for facility tank car and tank truck loading/unloading racks;

Tailored Requirements for Oil Production Facilities:

- Extends the timeframe by which a new oil production facility must prepare and implement an SPCC Plan;
- Exempts production facilities from loading rack requirements;
- Provides an alternative option for flow-through process vessels to comply with the general secondary containment requirement and additional oil spill prevention measures in lieu of sized secondary containment requirements;
- Provides an optional exemption from all secondary containment requirements for flowlines and intra-facility gathering lines, and establishes more specific requirements for a flowline/intra-facility gathering line maintenance program and contingency planning;