

SPCC for Agriculture



Environmental Protection Agency
Region 10

Overview

- ❑ The purpose of this presentation is to assist, you as a farmer in understanding your obligation under the SPCC Program. The goal of (SPCC) Spill Prevention, Control, and Countermeasure rule for Agriculture is to prevent oil spills into waters of the United States and adjoining shorelines.
- ❑ Oil spills can cause injuries to people and damage the environment.
- ❑ A key element of this program calls for farmers and other facilities to have an oil spill prevention plan, called an SPCC Plan. These plan can help farmers prevent oil spills which can damage water resources needed for farming operations.



Environmental Protection Agency
Region 10

WHAT ARE THE ENVIRONMENTAL RISKS?

- ❑ Spilled oil poses serious threats to fresh water and marine environments. It affects surface resources and a wide range of subsurface organism. Spilled oil can harm wildlife and their habitats:
- ❑ Potential effects on environment are;
 - a. Endanger public health
 - b. Impact drinking water
 - c. Devastate natural resources
 - d. Disrupt the economy.



Environmental Protection Agency
Region 10

THE PURPOSE OF THE SPILL PREVENTION, CONTROL, AND COUNTER MEASURE (SPCC) RULE.

- ❑ Oil Pollution Prevention regulation (40 CFR part 112) originally promulgated in 1973
- ❑ Specifies requirements for prevention of, preparedness for, and response to oil discharges
- ❑ Requirements help prevent oil discharges from reaching navigable waters or adjoining shorelines.
- ❑ Certain facilities, including farms, are required to develop SPCC Plans that describe equipment, workforce, procedures, and training to prevent, control, and provide adequate countermeasures to a discharge of oil.



5/19/2011

Environmental Protection Agency
Region 10

DEFINITION OF A FARM UNDER SPCC RULE



- ❑ A farm is a facility on track of land devoted to production of crops or raising animals, including fish, produced, sold, or normally would have produced or sold, at \$1000 or more agricultural products during a year. (*As defined in December of 2006 Amendments to SPCC rule*).
- ❑ Note: The definition does not affect the applicability determination under SPCC; have to determine oil storage capacity and reasonable expectation of an oil discharge.



Environmental Protection Agency
Region 10

IS MY FARM COVERED BY SPCC?

SPCC applies to a farm which:

- ❑ Stores, transfers, uses, or consumes *oil* or *oil products*, such as diesel fuel, gasoline, lube oil, hydraulic oil, adjuvant oil, crop oil, vegetable oil, or animal fat; and
- ❑ Stores more than *1,320 US gallons* in aboveground containers *or* more than *42,000 us gallons* in completely buried containers; and
- ❑ Could *reasonably be expected to discharge oil to waters* of the US *or* adjoining shorelines, such as interstate waters, intrastate lakes, rivers, and streams
- ❑ *If your farms meets all of the these criteria, then your farm is covered by SPCC*



Environmental Protection Agency
Region 10

THE PURPOSE OF A SPCC FACILITY RESPONSE PLAN

- **The Facility Response Plan helps an owner or operator develop a response organization and ensure the availability of response resources (i.e., response equipment, trained personnel) needed to respond to an oil discharge. The FRP also helps a facility owner or operator improve discharge prevention measures through the early identification of risks at the facility.**



Environmental Protection Agency
Region 10

SPCC PLAN

When should I prepare and implement a plan

- Farms in operation *on or before August 16, 2002*, must maintain or amend their existing plan by November 10, 2011. Any farm that started operation *after August 16, 2002, but before November 10, 2011*, must prepare and use a plan on or before November 10, 2011.

Note: If your farm was in operation before August 16, 2002, and you do not already have a Plan, you must prepare a Plan now. *Do not wait until November 10, 2011.*

What information will I need to prepare an SPCC Plan for my farm?

- A list of the oil containers at the farm by parcel (including the contents and location of each container);
- A brief description of the procedures that you will use to prevent oil spills. For example, steps you use to transfer fuel from a storage tank to your farm vehicles that reduce the possibility of a fuel spill;



Environmental Protection Agency
Region 10

SPCC PLAN (continued)

- ❑ A brief description of the measures you installed to prevent oil from reaching water
- ❑ A brief description of the measures you will use to contain and cleanup an oil spill to water; *and*
- ❑ A list of emergency contact and first responders.

What spill prevention measures should I implement and include in my SPCC Plan?

- ❑ Use containers suitable for the oil stored. For example, use container designed for flammable liquids to store gasoline;
- ❑ *Identify* contractors or other local personnel who can help you clean up an oil spill;
- ❑ *Provide overfill prevention* for you oil storage containers. You could use a high-level alarm, or audible vent, or establish a procedure to fill containers.
- ❑ *Provide effective, sized secondary containment* for bulk storage containers, such as a dike or a remote impoundment. The containment must be able to hold the full capacity of the container plus possible rainfall. The dike may be constructed of earth or concrete. A double-walled tank may also suffice;



Environmental Protection Agency
Region 10

SPCC PLAN (continued)

- ❑ ***Provide effective, general secondary containment*** to address the most likely discharge where you transfer oil to and from containers and for mobile refuelers, such as fuel nurse tanks mounted on trucks or trailers, drip pans or curbing for these areas; ***and***
- ❑ ***Periodically inspect and test pipes and containers.*** You should visually inspect aboveground pipes and inspect aboveground containers following industry standards. You must “Leak test” buried pipes when they are installed or repaired. EPA recommends you keep a written record of your inspections.

How and when do I maintain my SPCC Plan?

- ❑ Amend and update your SPCC Plan when changes are made to the farm, for example, if you add new storage containers (e.g. tanks) that are 55 gallons or larger, or if you purchase or lease parcels with containers that are 55 gallons or larger. You must review your Plan every five years to make sure it includes any changes in oil storage at your farm.



WHAT IS SPCC CRITERIA

What should I do if I have an oil spill?

- ❑ Activate your SPCC Plan procedures to prevent the oil spill from reaching a creek or river.
- ❑ Implement spill cleanup and mitigation procedures outlined in your Plan.
- ❑ ***Notify the National Response Center (NRC) at 800-424-8802*** if you have an oil discharge to waters or adjoining shorelines.
- ❑ If the amount of oil spilled to water is more than 42 gallons on two different occasions within a 12-month period or more than 1,000 gallons to water in a single spill event, then notify your EPA Regional office in writing.



Environmental Protection Agency
Region 10

WHAT IS A “ REASONABLE EXPECTATION OF AN OIL DISCHARGE”

- ❑ Determination by the owner/operator based on geographical and location aspects of the farm
- ❑ Proximity to water, land contour, drainage
- ❑ Exclude secondary containment, such as dikes around tanks and impoundments, in determination
- ❑ Good idea to document determination, although not a rule requirement



Environmental Protection Agency
Region 10

KEY ELEMENTS OF SPCC FACILITY RESPONSE PLAN

- **Prepare and implement an SPCC plan that outlines equipment and procedures to prevent and respond to an oil spill.**
 - a. **Prior to 2006, all plans required a Professional Engineer (PE) to certify.**
 - b. **Now allow facilities up to 10,000 gallons to self-certify their plans**
- **Containers (tanks, drums, totes) required to have sized secondary containment and overfill prevention**
- **Other areas required to have general secondary containment, such as loading/unloading areas and mobile refuelers.**



Environmental Protection Agency
Region 10

SPCC AMENDMENTS RELATED TO FARMS

- Exempted pesticide application equipment and related mix containers
- Exempted heating oil containers at single-family residences
- Clarified that farm nurse tanks are mobile refuelers
- Amended the definition of “facility”
- Modified secondary containment requirement language at §112.7(c) to provide more clarity
- Simplified security requirements
- Amended tank integrity testing requirements to allow greater flexibility
- Clarified definition of “permanently closed” tanks and status of new tanks with no fuel added
- Clarified applicability of the rule to man-made structures



Environmental Protection Agency
Region 10

SPCC AMENDMENTS RELATED to FARMS THAT WERE DELETED IN DECEMBER 2009

- ❑ Exclusion for farms from loading/unloading rack requirements
- ❑ Reason: Most farms do not have a loading/unloading rack, but rather an loading/unloading **area**



Environmental Protection Agency
Region 10

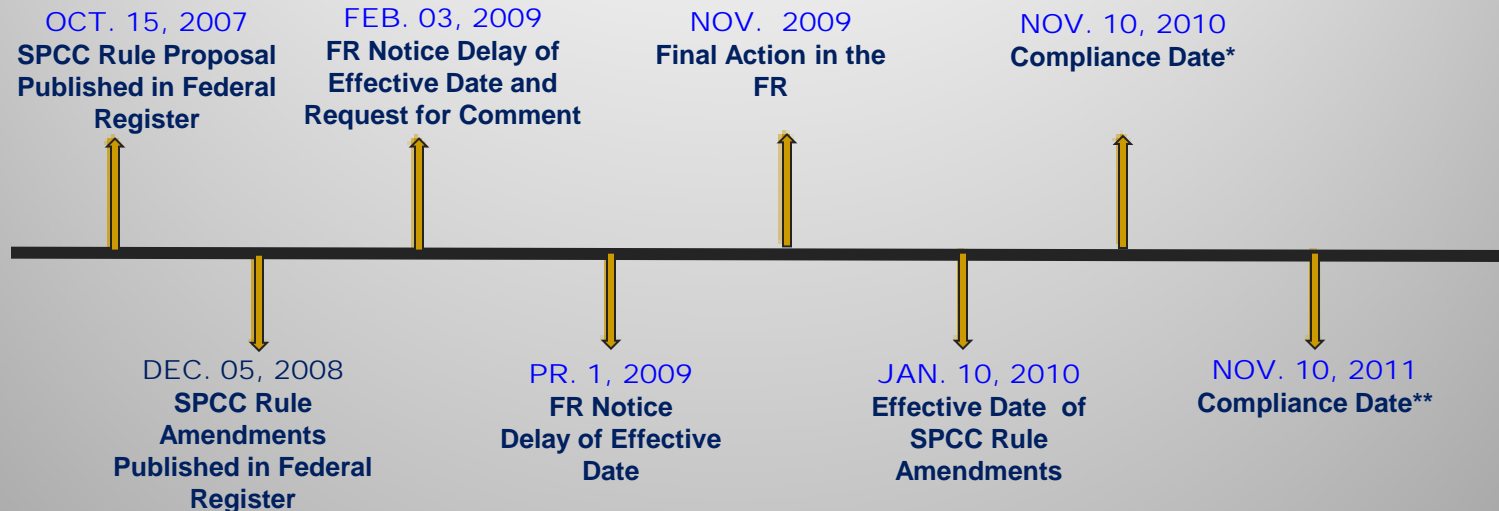
SPCC RULE COMPLIANCE DATES

- On ***October 7, 2010***, EPA extended the compliance date to most facilities to ***November 10, 2011***.
- This compliance date extension applies to all facilities, including farms.
- ***Does not*** apply to facilities located offshore or with an offshore component or an onshore facility that is required to have and submit Facility Response Plans (FRPs)
- EPA also delayed the compliance date by which a facility must address milk and milk product containers. The date is delayed one year from the effective date of a final rule specifically addressing these milk and milk product containers.



Environmental Protection Agency
Region 10

2008-2011 Amendments and Compliance Date Timeline



*The **November 10, 2010** compliance date applies to drilling, production or work over facilities, including mobile or portable facilities, located offshore or with an offshore component or an onshore facility that is required to have and submit FRPs

The **November 10, 2011 compliance date applies to all other facilities



Environmental Protection Agency
Region 10

Milk Container Proposal

- On *January 15, 2009*, EPA proposed to exempt milk containers and associated piping and appurtenances constructed to 3-A sanitary standards and subject to the Pasteurized Milk Ordinance (PMO).
- Comment period closed on *February 17, 2009*.
- On *April 12, 2011*, EPA amended the SPCC rule to exempt milk and milk product containers, associated piping and appurtenances.

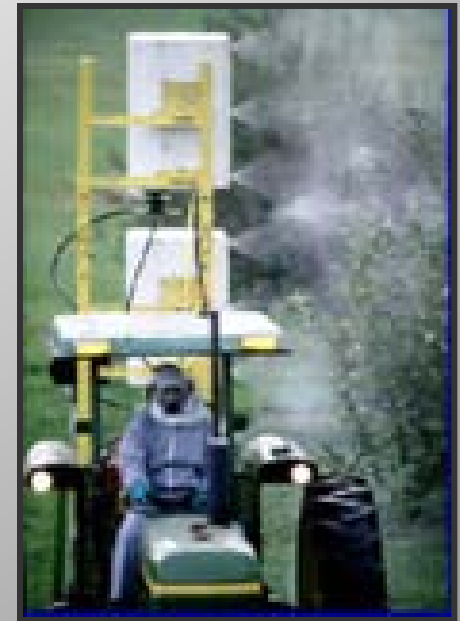


Environmental Protection Agency
Region 10

A. Exemptions

PESTICIDE APPLICATION EQUIPMENT

- ❑ **Exempt equipment includes:**
 - Ground boom applicators – Airblast sprayers
 - Specialty aircraft that apply measured amounts of pesticides to crops and/or soil – Related mix containers
- ❑ **Exemption applies to all pesticide application equipment and related mix containers, regardless of ownership or where used.**



Environmental Protection Agency
Region 10

EXAMPLES OF PESTICIDE APPLICATION EQUIPMENT GROUND

- **Ground Boom Sprayer**



- **Airblast Sprayer**



- **Aerial Applicator**



Environmental Protection Agency
Region 10

RESIDENTIAL HEATING OIL CONTAINERS

- ❑ Residential heating oil containers at single-family residences are exempt from the SPCC rule.
- ❑ Applies to containers that are:
 - i. Aboveground or completely buried
 - ii. Used solely to store heating oil used to heat the residence
- ❑ SPCC requirements continue to apply to oil containers used to heat other non-residential buildings within a facility.



Environmental Protection Agency
Region 10

For More Information

- ❑ **EPA's SPCC web page**
 - <http://www.epa.gov/emergencies/content/spcc/index.htm>
- ❑ **EPA Oil Spill and Emergency Management web pages**
 - www.epa.gov/oilspill
 - www.epa.gov/emergencies



Environmental Protection Agency
Region 10

The End



**Environmental Protection Agency
Region 10**

5/19/2011

SPCC For Farm

23