

Quality and Consistency Review of SPCC and FRP Plans: Summary of Findings

Environmental Protection Agency - Office of Emergency Management

Review Objectives and Methodology

The Environmental Protection Agency (EPA) conducted an internal quality and consistency review of a sample of Spill Prevention, Control, and Countermeasure (SPCC) Plans and Facility Response Plans (FRPs) required under 40 CFR part 112. The review was to inform the Agency's continued outreach to provide regulatory clarity and improve SPCC and FRP compliance.¹

EPA Headquarters staff surveyed regional offices for data related to SPCC Plans and FRPs reviewed during routine compliance monitoring activities for Fiscal Years 2018 and 2019. The selected sample included a diverse distribution of industry sectors. Further, where possible, the sample included facilities subject to both SPCC and FRP requirements, generally resulting in a selection of facilities with larger oil storage capacities. Only facilities with identified Plan deficiencies were reviewed in order to assess Plan inconsistencies with the applicable rule requirements. While the compiled data from the review reflect overall SPCC and FRP compliance, this factsheet focuses only on identified SPCC Plan and FRP deficiencies and the data below highlight the number of unique facilities with at least one deficiency in any given SPCC or FRP requirement area. The Agency commits to work with SPCC/FRP facilities to bring them into compliance or will take action, where appropriate.

Selected SPCC and FRP Facilities

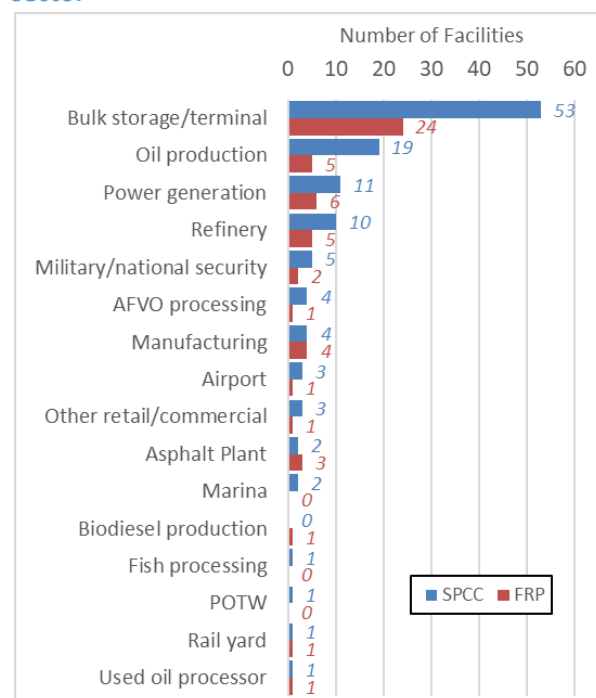
EPA reviewed inspection data for **120** SPCC-regulated facilities and **55** FRP-facilities (Figure 1 presents the distribution of facilities by sector). The aggregate oil storage capacities of reviewed facilities range between 4,000 gallons to more than 857 million gallons. The largest facilities in terms of oil storage capacity were oil refineries, military installations, and bulk storage terminals. FRP facilities, almost half of which were bulk storage facilities and terminals for this review, are among the largest facilities covered under 40 CFR part 112. The reviewed FRP facilities have an average aggregate oil storage capacity of 45 million gallons of oil (69,000 to 857 million gallons) and have estimated worst case discharge planning volumes averaging more than 3 million gallons (94,000 to 20 million gallons).

SPCC Plan Deficiencies

Of the 120 SPCC-regulated facilities reviewed in this study, EPA identified that 8% (10 facilities) did not have an SPCC Plan at the time of inspection. Of the 110 facilities that had an SPCC Plan, EPA identified an average of four Plan deficiencies at each SPCC facility reviewed. As shown in Figure 2, the **five most common** types of SPCC Plan deficiencies were on provisions for **Plan content, general secondary containment, integrity testing, sized secondary containment, and drainage**.

EPA noted numerous SPCC Plans with the following deficiencies: inadequate or no documentation of the Plan review and evaluation every five years; Plans not amended by facility owners or operators when required; omission of key information from the facility diagram; failure to address required containment for piping; failure to address integrity testing of bulk storage containers; failure to demonstrate that secondary containment met the requisite size or design requirements; or failure to provide procedures for controlling stormwater discharges from diked areas. Within the

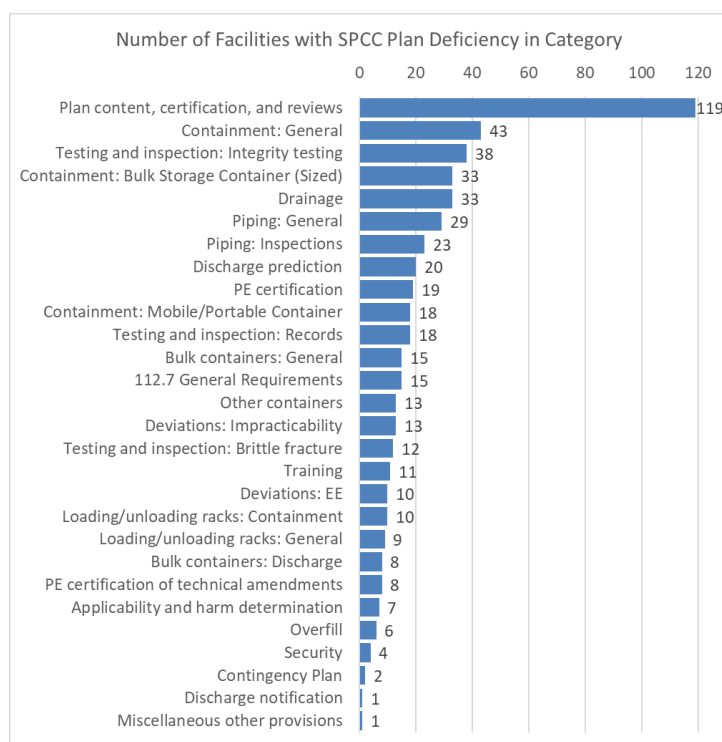
Figure 1: Reviewed SPCC and FRP facilities by sector



¹ The review also follows recommendations by the Office of Inspector General (OIG) in "[EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program](#)" (Report No. 12-P-0253) February 6, 2012.

facilities reviewed, there were no noticeable differences in the types of Plan deficiencies that could be attributed to industry type or differences in oil storage capacities.

Figure 2: FY18 & FY19 SPCC Plan deficiencies among the 120 SPCC facilities reviewed for this study.



FRP Deficiencies

EPA identified an average of four Plan deficiencies per FRP facility reviewed. The **five most common** types of FRP deficiencies were on provisions for **diagrams** (*i.e.*, site plan, evacuation plan, drainage); **discharge scenarios** (including worst-case discharge); **vulnerability analysis**; **hazard evaluation** (*i.e.*, spill history, analysis of discharge potential); and **plan implementation** (*i.e.*, description of containment and drainage planning, disposal plans, and response resources).

Numerous FRP facilities also lacked details about their response equipment, omitted key information from their emergency response action plan (ERAP), did not conduct required preparedness drills and exercises, and failed to train their personnel on appropriate oil spill response measures.

Limitations

This qualitative analysis provides a snapshot of oil inspections in two Fiscal Years (2018 and 2019). While illustrative of the diversity of sectors, facility types, and operating conditions, the sampled facilities reflect only a small portion of the universe of facilities regulated under 40 CFR part 112. The frequency of deficiencies in this sample is not indicative of overall compliance with SPCC and FRP requirements.

Top Deficiency Category	Relevant SPCC Provision(s)
Plan content, certification, and reviews	112.3 Plan Requirements 112.3(e) Plan Availability 112.5(a) Plan Amendments 112.5(b) 5-Year Review 112.7(a) Plan Content 112.7(j) Other Applicable Regs
Containment (general)	112.7(c) General Containment
Testing and inspection: integrity testing	112.8(c)(6) Integrity Testing/Inspections 112.12(c)(6) Integrity Testing
Containment (sized)	112.8(c)(2) Bulk Storage Sized Secondary Containment 112.9(c)(2) Bulk Storage Sized Secondary Containment 112.12(c)(2) Bulk Storage Sized Secondary Containment
Drainage	112.8(b) Facility Drainage 112.8(c)(3) Diked Drainage 112.8(c)(9) Effluent Treatment
Piping: General	112.8(d) Transfer Operations/Piping
Piping: Inspections	112.8(d) Piping Inspections 112.9(d) Piping Inspections
Discharge prediction	112.7(b) Discharge Prediction
PE certification	112.3(d) PE Certification

Figure 3: FY18 & FY19 FRP deficiencies among the 55 FRP facilities reviewed for this study

