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## Spill Prevention, Control, and Countermeasure (SPCC) Rule Proposed Amendments

### ***Proposed Compliance Date Amendments***

In November 2008, EPA proposed to amend the dates by which facilities must prepare or amend Spill Prevention, Control, and Countermeasure (SPCC) Plans, and implement those Plans. Two additional extension dates are proposed for farms and production facilities that meet the qualified facilities criteria in §112.3(g). The public has the opportunity to comment on these proposed changes during a 30-day period following publication of the proposed rule in the *Federal Register*.

#### **What are the proposed compliance dates for all facilities (other than qualified farms or production facilities)?**

<b><i>A facility (other than a qualified farm or production facility) starting operation...</i></b>	<b><i>Must...</i></b>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the SPCC Plan no later than November 20, 2009
After August 16, 2002 through November 20, 2009	Amend and implement the SPCC Plan no later than November 20, 2009
After November 20, 2009	Prepare and implement a SPCC Plan before beginning operations

#### **What are the proposed compliance dates for farms that meet the qualified facility criteria?**

<b><i>A farm that meets the qualified facility criteria, starting operation...</i></b>	<b><i>Must...</i></b>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the SPCC Plan no later than November 20, 2010
After August 16, 2002 through November 20, 2010	Amend and implement the SPCC Plan no later than November 20, 2010
After November 20, 2010	Prepare and implement a SPCC Plan before beginning operations

#### **What are the proposed compliance dates for production facilities that meet the qualified facility criteria?**

<b><i>A production facility that meets the qualified facility criteria, starting operation...</i></b>	<b><i>Must...</i></b>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the SPCC Plan no later than November 20, 2013
After August 16, 2002 through November 20, 2013	Amend and implement the SPCC Plan no later than November 20, 2013
After November 20, 2013	Prepare and implement a SPCC Plan before beginning operations



## Why is EPA proposing to extend the compliance dates?

- To provide the owner or operator of a facility the opportunity to fully understand the regulatory amendments offered by revisions to the SPCC rule promulgated in 2006 and 2008.
- To allow facilities time to make changes to their facilities and to their SPCC Plans necessary to comply with the revised SPCC requirements.
- To ensure adequate time for specific outreach activities by the U.S. Department of Agriculture (USDA) and others to the widely dispersed farming community.
- To allow qualified production facilities ample time to make changes to their facilities and to their SPCC Plans necessary to comply with the revised requirements.

## What is a “farm” for purposes of the SPCC rule?

EPA defines a farm as “a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, \$1,000 or more of agricultural products during a year.”

## What is a “production facility” for purposes of the SPCC rule?

EPA defines a production facility as “all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or intra-facility gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil (including condensate), or associated storage or measurement, and is located in an oil or gas field, at a facility.” This definition governs whether such structures, piping, or equipment are subject to a specific section of the rule.

## What are the qualified facility eligibility criteria?

A qualified facility is one that: has an aggregate aboveground oil storage capacity of 10,000 gallons or less; and has had no single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons or no two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan certification date, or since becoming subject to Part 112 if the facility has been in operation for less than three years (other than discharges as described in §112.1(b) that are the result of natural disasters, acts of war, or terrorism).

A production facility may be eligible as a qualified facility under the oil storage capacity criteria above, or also if it meets the discharge history criterion above and has:

(1) for those facilities that do not have injection wells, no more than four producing wells per single tank battery, each of which produce ten barrels or less of crude oil per well per day; or

(2) no more than two producing wells per single tank battery, each of which produce ten barrels or less of crude oil per well per day and has one or more injection wells at the facility.

## How do I comment on this proposed rule?

Please submit your comments on the proposed amendments at [www.regulations.gov](http://www.regulations.gov). Follow the online instructions to comment on Docket ID No. EPA-HQ-OPA-2008-0546.

### For More Information

**Read the proposed SPCC rule amendment**  
<http://www.epa.gov/emergencies>

**Comment on the proposed SPCC rule amendment and review docket documents**  
<http://www.regulations.gov>  
Follow the online instructions to comment on Docket ID No. EPA-HQ-OPA-2008-0546

**Review the Oil Pollution Prevention regulation (40 CFR part 112)**  
<http://www.gpoaccess.gov/cfr/>

**Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center**  
(800) 424-9346 or (703) 412-9810  
TDD (800) 553-7672 or (703) 412-3323  
<http://www.epa.gov/superfund/resources/infocenter>