



## REGULATORY UPDATE

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In July, the EPA published its long awaited update to the SPCC regulations. The regulations became effective August 16, 2002. Existing facilities have until February 16, 2003 to update their SPCC plan to the new requirements, and then until August 16, 2003 to implement the updated plan. Below is a brief summary of some of the major changes to the rule.

### **The new SPCC regulation:**

- Removes “completely buried storage tanks” subject to 40 CFR 280/281 from threshold calculations and regulation.
- Removes “permanently closed” tanks from threshold calculations and regulation, providing they meet certain requirements.
- Establishes a de minimis container size of 55 gallons (i.e. containers smaller than 55 gallons are exempt from threshold calculations and regulation).
- Removes the 660 gallon single container threshold provision (i.e. facilities with a combined storage aboveground capacity of more than 1,320 gallons are subject to the regulations, regardless of the size of the largest container).
- Allows for deviation from some requirements if equivalent environmental protection is provided.
- Mandates training for oil-handling employees only, instead of all employees.
- Provides for a flexible SPCC plan format.
- Changes the SPCC plan review period from 3 years to 5 years.
- Clarifies and expands the definition of navigable waters.
- Requires that container integrity testing include some form of non-destructive shell testing in addition to visual inspection.
- Changes many "suggested" measures to required measures.

*For more detailed information on the new regulations please go to [www.strataguides.com/ast/newregs](http://www.strataguides.com/ast/newregs). If you would like assistance updating your SPCC plan to comply with the new regulations, please contact Strata Environmental.*