



Spill Prevention, Control, and Countermeasure (SPCC) Compliance Date Extension - Final Rule

On October 7, 2010, the U.S. EPA amended the date by which facilities must prepare or amend Spill Prevention, Control, and Countermeasure (SPCC) Plans, and implement those Plans:

- Drilling, production or workover facilities that are offshore or that have an offshore component, or onshore facilities required to have and submit Facility Response Plans (FRPs) are not affected by this rule. Their compliance date is still November 10, 2010.
- Other facilities have an additional year to update or prepare their SPCC Plans. Their new compliance date is November 10, 2011.
- EPA is also delaying the compliance date to address SPCC milk and milk product containers, associated piping and appurtenances that are constructed according to the current applicable 3-A Sanitary Standards, and subject to the current applicable Grade "A" Pasteurized Milk Ordinance (PMO) or a State dairy regulatory requirement equivalent to the current applicable PMO. The delay is for one year from the effective date of a final rule specifically addressing SPCC requirements for these milk and milk product containers.

What are the compliance dates for SPCC facilities receiving a compliance date extension?

A facility, including a mobile or portable facility, starting operation...	Must...
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than November 10, 2011
After August 16, 2002 through November 10, 2011	Prepare and implement an SPCC Plan no later than November 10, 2011
After November 10, 2011 (excluding production facilities)	Prepare and implement an SPCC Plan before beginning operations
After November 10, 2011 (production facilities)	Prepare and implement an SPCC Plan within six months after beginning operations.*

***Note:** EPA recognizes that for some oil fields, based on the often variable conditions of the oil reservoir, the type and proportion of products may be uncertain until after the process of extraction has started. On December 5, 2008 (73 FR 74236), EPA finalized an amendment to allow a new oil production facility (i.e., one that becomes operational after the compliance date).

Which SPCC facilities remain subject to the November 10, 2010 compliance date?

<p><i>A drilling, production or workover facility, including a mobile or portable facility, located offshore or with an offshore component or an onshore facility that is required to have and submit FRPs starting operation...</i></p>	<p><i>Must...</i></p>
<p>On or before August 16, 2002</p>	<p>Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than November 10, 2010</p>
<p>After August 16, 2002 through November 10, 2010</p>	<p>Prepare and implement an SPCC Plan no later than November 10, 2010</p>
<p>After November 10, 2010 (excluding production facilities)</p>	<p>Prepare and implement an SPCC Plan <i>before</i> beginning operations</p>
<p>After November 10, 2010 (production facilities)</p>	<p>Prepare and implement an SPCC Plan <i>within six months after</i> beginning operations.</p>

What compliance dates are delayed?

EPA is delaying the date by which facilities must address in their SPCC Plan milk and milk product containers, associated piping and appurtenances constructed according to the current applicable 3-A Sanitary Standards and subject to the current applicable Grade “A” Pasteurized Milk Ordinance (PMO) or equivalent State regulatory requirements. This will allow EPA to take final action on the January 15, 2009, proposal to exempt milk containers from the SPCC requirements. The date by which facilities must address milk and milk product containers constructed and subject to specific standards and ordinances is delayed one year from the effective date of a final EPA rule addressing the SPCC requirements for those containers or as specified by a rule that otherwise establishes a compliance date for these containers. However, when the facility has an aboveground oil storage capacity (excluding the capacity of these milk and milk product containers) greater than 1,320 U.S. gallons or a completely buried storage capacity greater than 42,000 U.S. gallons, it must maintain its existing SPCC Plan for all other oil storage containers at the facility (excluding milk and milk product containers as described above), and it must address any amended SPCC requirements by November 10, 2011.

Why is EPA extending the compliance dates for certain facilities?

To provide owners or operators of facilities that pose a lower threat of having significant oil spills the opportunity to fully understand the regulatory amendments offered by revisions to the SPCC rule promulgated in 2008 and 2009 and to allow these facilities additional time to make any changes necessary to comply with the revised SPCC requirements.

For More Information

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

Review docket documents for the SPCC rule amendment:
<http://www.regulations.gov>
 Follow the online instructions to comment on Docket ID No. EPA-HQ-OPA-2009-0880

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>

**To Report an Oil or Chemical Spill
 Call the National Response Center:**
 (800) 424-8802 or (202) 267-2675
 TDD (202) 267-4477