



Oil Spill Prevention, Control, and Countermeasure (SPCC) Program: Information for Farmers

This fact sheet will assist you, as a farmer, in understanding your obligations under the SPCC Program.

What is SPCC?

The goal of the SPCC program is to prevent oil spills into waters of the United States and adjoining shorelines. Oil spills can cause injuries to people and damage to 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 Plans can help farmers prevent oil spills which can damage water resources needed for farming operations.

What is considered a farm under SPCC?

Under SPCC, a farm is: "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."

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 farm meets all of these criteria, then your farm is covered by SPCC.

TIPS:

* Count only containers of oil that have a storage capacity of 55 US gallons and above.

* Adjacent or non-adjacent parcels, either leased or owned, may be considered separate facilities for SPCC purposes. Containers on separate parcels (that the farmer identifies as separate facilities based on how they are operated) do not need to be added together in determining whether the 1,320-gallon applicability threshold is met.

If my farm is covered by SPCC, what should I do?

The SPCC program requires you to prepare and implement an SPCC Plan. If you **already have a Plan**, maintain it. **If you do not have a Plan**, you should prepare and implement one. Many farmers will need to have their Plan certified by a Professional Engineer ("PE"). However, you may be eligible to self-certify your amended Plan if:

- Your farm has a total oil storage capacity between 1,320 and 10,000 gallons in aboveground containers, and the farm has a good spill history (as described in the SPCC rule), you may prepare and self-certify your own Plan. (However, if you decide to use certain alternate measures allowed by the federal SPCC Rule, you will need a PE.)
- Your farm has storage capacity of more than 10,000 gallons, or has had an oil spill you may need to prepare an SPCC Plan **certified by a PE**.

TIP: If you are eligible to self certify your Plan, and no aboveground container at your farm is greater than 5,000 gallons in capacity, then you may use the Plan template that is available to download from EPA's Web site at: <http://www.epa.gov/oem/content/spcc/tier1temp.htm>

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 **May 10, 2013**. Any farm that started operation after August 16, 2002, but before May 10, 2013, must prepare and use a Plan on or before **May 10, 2013**.

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 May 10, 2013.**

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;
- A brief description of the measures you installed to prevent oil from reaching water (see next section);
- A brief description of the measures you will use to contain and cleanup an oil spill to water; and
- A list of emergency contacts 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 a 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 your 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;
- **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. For example, you may use sorbent materials, 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 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.

For More Information**Read the SPCC rule and additional resources:**

<http://www.epa.gov/emergencies/spcc>

Call or send an e-mail to the EPA Ag Compliance Assistance Center: 1-888-663-2155

<http://www.epa.gov/agriculture/agctr.html>

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>



Regulations for Aboveground Petroleum Tanks*
FARM DISPENSING (NON-COMMERCIAL)

	Illinois	Iowa	Wisconsin	
SETBACK FROM:			Setbacks WITH Secondary Containment:	
			Aggregate Capacity	Distance
Buildings, Property Lines	30'	40' ⁵	<275 Gal	5'
			276-750 Gal	10'
			751-12,000 Gal	15'
			12,001-30,000 Gal	20'
			Setback WITHOUT Secondary Containment:	
			40'	
Residence or Assembly	30'	100'	Same as above	
Between Tanks	5'	3' ⁵	3'	
Maximum Number of Tanks	4			
Maximum Tank Volume	12,000 Gallon	1,100 Gallon ⁵	1,100 Gallon ⁵	
Maximum Aggregate Capacity	12,000 Gal Total	48,000 Gallon ⁵	48,000 Gallon ⁵	
Tank Construction Type	UL	UL or approved equivalent standard ⁴	UL or approved equivalent standard ⁴	
Secondary Containment Required*	No*	No < 1,100 Gal	Dependent on Setback; See Above	
Dike Capacity	N/A	Largest Tank + 10% (Account for Displacement of Remaining Tanks)	Largest Tank + 25% (Account for Displacement of Remaining Tanks)	
Double Wall Allowed	Yes	Yes	Yes	
Permit Required	No	Yes	Yes	
Fence Required	No	No	No	
Tank Registration Required	No	Yes > 1,100 Gal	Yes	
Source, Unless Otherwise Noted	1	2	3	

Note - * Federal SPCC rules (not included in this table) require diking for aggregate capacity of >1,320 Gallons.

Sources

1. Title 41 Illinois Administrative Code Part 180
2. Iowa Administrative Code, Chapter 221: Flammable and Combustible Liquids
3. Wisconsin Administrative Code, Comm 10: Flammable, Combustible and Hazardous Liquids
4. NFPA 30 Flammable and Combustible Liquids Code
5. NFPA 30A Code for Motor Fuel Dispensing Facilities and Repair Garages

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Environmental Services

Guidance on EHS Issues and Answers to Your Questions

Safety Services

September 25, 2018

Illinois Allows Increase in Dispensing Tank Capacity

On July 27, 2018, Public Act 100-6037 was signed into law and became effective immediately. It increased the capacity of aboveground storage tanks used for motor fuel dispensing to 12,000 gallons at certain facilities.

Here is the language used in the law:

430 ILCS 15/2 Section 4 a:

A facility used for (i) agricultural purposes, at an agricultural site; (ii) refueling construction equipment at a construction site; or (iii) parking, operating, or maintaining a commercial vehicle fleet, may store an aggregate total of 12,000 gallons of fuel for dispensing in aboveground storage tanks, as long as the facility complies with all other requirements of the rules of the Office of the State Fire Marshal.

The law change only applies to the following facilities:

- 1) Agricultural storage – currently defined as: “...limited to farms, tree nurseries, fish farms, tree farms, sod farms or orchards”
- 2) Construction storage – currently defined as: “...construction sites for refueling construction equipment,” and
- 3) Commercial storage – currently defined as: “...commercial, industrial, governmental or manufacturing establishments for fueling vehicles used in connection with their business”

Previously, agricultural storage was limited to four (4) aboveground storage tanks intended for dispensing fuel into vehicles to 2,500 gallons capacity each and no one product more than 5,000 gallons to the total storage at the site.

Construction and Commercial storage were limited to two (2) aboveground storage tanks intended for dispensing fuel into construction equipment or vehicles used in connection with their business, respectively.

With the changes in the Illinois law, the Office of the Illinois State Fire Marshal (OSFM) has stated that the total capacity may be any combination (e.g. one 10,000 gallon + 2,000 gallon; four 2,500 gallon + one 2,000 gallon) which totals no more than 12,000 gallons (provided that the owner/operator undergoes the permit application process for aboveground storage tanks). The OSFM will update the Part 180 regulations; however, there is no timeline established for the rulemaking process.

Be aware that increased storage capacity may affect tank-to-tank and tank-to-property setback distance requirements which increase as volume of the storage tank increases.

Increasing volume may also trigger additional regulatory requirements. Aboveground oil storage in excess of 10,000 gallons will likely require a professional engineer certified Spill Prevention Control and Countermeasure (SPCC) Plan.

For additional information, contact Liz Hobart in Governmental Affairs at (309) 557-6353 lhobart@growmark.com, or Randy Tomic (309) 557-6727 rtomic@growmark.com in Environmental Services or Scott Long in Energy (309) 557-6379 slong@growmark.com.