

Be prepared

The Maine DEP is enforcing oil spill prevention compliance as a regulatory deadline approaches

BY ANN ARMSTRONG

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If you haven't heard of an SPCC plan, you're not alone. Hundreds of Maine facility owners and operators across the state are quickly learning the importance of the acronym as the deadline for compliance approaches.

SPCC refers to spill prevention, control and countermeasure, in relation to hazardous oil spills. Federal SPCC regulations, designed to safeguard property and the environment, came into effect under the authority of the Clean Water Act in 1973. Under SPCC federal guidelines, oil is defined as (but not limited to) petroleum, sludge, oil refuse, oil mixed with wastes, greases of animals and synthetic oils.

An SPCC plan is a detailed report that guides facility owners and operators to prevent spills and to minimize the impact when oil spills occur by specifying procedures for responding to, containing and cleaning up a spill. According to federal

law, owners of any oil storage facility in Maine with more than 1,320 gallons of aboveground oil storage capacity should already have implemented an oil spill prevention plan; state regulations apply to owners of retail and bulk storage facilities that either market or distribute oil. However, many business owners and operators throughout Maine are not in compliance.

They should be, since spills from aboveground storage tanks in Maine continue to contaminate our groundwater and drinking water (in addition to surface water), which ultimately affects our critical natural resources and our recreational opportunities. Maine's legislators and the state's SPCC program administrators are concerned about groundwater contamination because significant financial resources have been allocated to Maine's drinking water program, which is one of the best in the country. As of November 2003 — the most recent figures available — approximately \$2.9 million had been spent on cleaning up spills that occurred at retail service stations and bulk plants from 1995 through 2002.

A new state law authorizes the Maine Department of Environmental Protection to enforce compliance with existing federal SPCC regulations for facilities that market or distribute oil to others. All facilities in operation prior to Aug. 16, 2002, are required to have their SPCC plans reviewed and updated as needed to meet the current SPCC rules by Feb. 17, 2006, and implement the revised plan by Aug. 18, 2006; all facilities that become operational after Aug. 16, 2002 through Aug. 18, 2006 must prepare and implement an SPCC plan by Aug. 18, 2006; and facilities that become operational after Aug. 18, 2006 must prepare and implement an SPCC plan prior to beginning operations.

What you need to know about SPCC

Who needs an SPCC plan: Those with more than 1,320 gallons of aboveground oil storage capacity; owners of new retail and bulk storage facilities currently under construction

Plan contents: Facility regulatory requirements, general facility information and descriptions of all oil storage facilities, training programs, emergency procedures, spill response plans, spill reporting procedures, facility inspection schedules, site security and emergency contact information

Spill reporting requirements: State law requires owners of aboveground oil storage facilities to report any spill at their facility within two hours

Deadline for compliance: Varies, based on facility's age

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The skeleton of an SPCC plan must detail facility regulatory requirements, general facility information and descriptions of all oil storage facilities, training programs, emergency procedures, spill response plans, spill reporting procedures, facility inspection schedules, site security and emergency contact information. The plan must be certified by the facility's owner to guarantee his or her commitment to implement the plan and to control and remove current and future oil discharge. Current regulations require that a professional engineer certify that the plan has been prepared according to federal regulations; in addition, SPCC plans must be updated every five years.

The state's SPCC plan program coordinator, Sara Brusila of the Maine DEP, provides technical support to owners and operators who are required to bring their facilities into compliance. While the federal Environmental Protection Agency can show up unannounced at your facility for a compliance audit, the state's SPCC program staff generally schedules site visits ahead of time. Brusila says DEP's focus is on educating Maine facility owners in order to prevent spills.

The state has established a groundwater cleanup fund; however, facility owners and operators must pay a deductible should a spill occur on site. State law requires owners of aboveground oil storage facilities to report any spill at their facility within two hours. Owners can be hit hard with additional deductibles if they are not in compliance with all applicable regulations, including the SPCC rules.

Brusila's message is clear: "Be familiar with your facility and SPCC plan, and be prepared to act." ■

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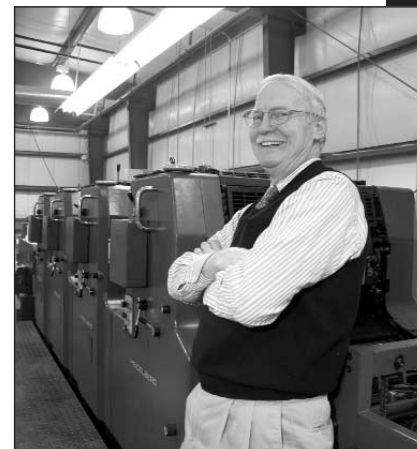
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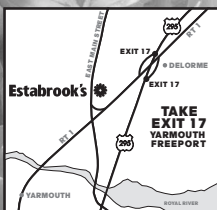
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