

Other Rules to be Aware Of

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



Is
being
revised
by EPA



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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

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- A key element of this program calls for farmers and other facilities to have an oil spill prevention plan, called an *SPCC Plan*.

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 [2,500] 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 [2,500]-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.
- If your farm has storage capacity of more than **10,000 [20,000]** gallons, or has had an oil spill, you may need to prepare an SPCC Plan **certified by a PE**.
- For farms under this threshold, an SPCC can be self-certified.



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?

- We are already past the deadline of *May 10, 2013*.
- So if you need a SPCC Plan, when is NOW



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 – such as alarm, audible vent, or establish a procedure to fill containers;

What spill prevention measures should I implement and include in my SPCC Plan? (Continued)

- Provide effective, sized secondary containment for bulk storage containers, such as a dike or a remote impoundment. A double-walled tank may also suffice;



What spill prevention measures should I implement and include in my SPCC Plan? (Continued)

- **Provide effective, general secondary containment** to address the most likely discharge **where you transfer oil** to and from containers and for mobile refuelers. For example, you may use sorbent materials, drip pans or curbing for these areas; and
- **Periodically inspect and test pipes and containers.** Keep a written record of your inspections.

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.



FYI:

- EPA plans to hold a workshop in Utah when they get their new rules for agriculture finalized.
- UDAF will let you know details about this workshop when it is scheduled.
- There are consultants that can assist you.
- There may be financial assistance from NRCS.

Questions about SPCC Regulations?



Composting Regulations

Utah Division of Solid and Hazardous Waste



Composting Manure and/or vegetative waste

- In 2002, the rule was changed to exempt composting at animal feeding operations **if only manure and vegetative waste are composted.**
- Only regulated under UPDES Permit.
- Have a composting plan – can be part of NMP.
- Runoff from composting area must be contained.
- Potential groundwater pollution should be addressed.

Composting Dead Animals

- Must have a Composting Plan approved by Utah Division of Solid and Hazardous Waste.



Questions about Composting Regulations?



Winter Application Rules





Utah CAFO Rule

- Land application to saturated, frozen, or snow-covered ground is not allowed unless according to NRCS Practice 590 and UMARI, or NRCS UMARI equivalent



NRCS Practice Standard 590

The NRCS - approved nutrient risk assessment for phosphorus must be completed when:

- phosphorus application rate exceeds Utah State University fertility rate guidelines for the planned crop(s), or
- the planned area is within a phosphorus - impaired watershed (contributes to 303d-listed water bodies), or
- where NRCS and the State of Utah Division of Water Quality have not determined specific conditions where the risk of phosphorus loss is low



NRCS Practice Standard 590

- Fields must have a documented agronomic need for phosphorus; based on **soil test** phosphorus (STP) and Utah State University nutrient recommendations.
- When Nutrient Management 590 is planned, all fields will be rated using Utah's Manure Application Risk Index (UMARI)



NRCS Practice Standard 590

Here's the Rule:

Nutrients must not be surface-applied if nutrient losses offsite are likely. This precludes spreading on:

- frozen and/or snow-covered soils, and
- when the top 2 inches of soil are saturated from rainfall or snow melt

We fought hard to get an exception to this rule **for some fields if certain criteria are met.**



Here's the Exception for Utah:

- “Exceptions for the above criteria can be made for surface-applied manure **when the Utah Manure Application Risk Index is used and the risk is ‘Low’**”.
- UMARI is run on each field
- Winter application is **not approved** for every field
- Risk must be **Low**
- Set-backs are required
- Runoff must be contained



Really Important!

- **The rules for winter application must be adhered to!**
- **If the Exception to the rule is abused, we will lose it.**

Questions about Winter Application?



