



# Hodgens Engineering Service

*"Treating others the way we like to be treated"*

## **Summary of the 10-07-2007 Proposed Modifications to SPCC Regulations: 40 CFR Part 112**

**T**he major components of the proposed regulatory amendments are:

- (1) Exempt the storage capacity of containers solely containing **hot-mix asphalt** from the SPCC rule;
- (2) Exempt **pesticide application equipment** and related mix containers used at farms;
- (3) Exempt heating oil containers at **single-family residences**;
- (4) Amend the definition of "facility" to clarify that contiguous or non-contiguous buildings, properties, parcels, leases, structures, installations, pipes, or pipelines may be considered **separate facilities**, and to specify that the "facility" definition governs the applicability of 40 CFR part 112;
- (5) Amend the **facility diagram requirement** to provide additional flexibility for all facilities;
- (6) Define "**loading/unloading rack**" to clarify the equipment subject to the provisions for facility tank car and tank truck loading/unloading racks; as well as specifically exclude onshore oil production facilities and farms from the sizing requirements for transfer areas;
- (7) Allow certain facilities with less than 5000 gallon capacity to satisfy requirements by using an EPA created **template** to satisfy SPCC rule requirements.
- (8) Amend the general **secondary containment** provision to provide more clarity;
- (9) Amend the **security** requirements for all facilities;
- (10) Amend the **integrity testing** requirements to allow a greater amount of flexibility in the use of industry standards at all facilities;
- (11) Amend the integrity testing requirements for containers that store **animal fats** or vegetable oils and meet certain criteria;
- (12) Streamline a number of requirements at oil **production facilities**; and
- (13) Exempt completely buried oil storage tanks at **nuclear power generation facilities**.

These modifications have been developed for the purpose of reducing regulatory burden for smaller facilities (including farms), and to a lesser extent, other facilities.

For the Bulk Facility Operator, the biggest changes include

- clarification of the existing policy relative to volume of required secondary containment capacity at locations without loading racks,
- redefinition of "facility" to permit contiguous parcels to be handled separately in determining the 1320-gallon threshold for applicability of the regulation
- relaxation of security requirements, including the opportunity to forego facility fencing without needing to define environmentally equivalent actions.

**Full comments offered by HES can be found at:**

<http://www.hodgens.net/hes/10-07comments.pdf>