



RT ENVIRONMENTAL SERVICES, INC.

Your Solution-Oriented Environmental Services Firm

SPILL PREVENTION CONTROL AND COUNTERMEASURE REGULATIONS FROM EPA EFFECTIVE VERY SOON

April 28, 2009

EPA Federal Spill Prevention Control and Countermeasures Regulation, except for certain limited areas which were still under review in 2008, are now final (as of April 14th) and measures at facilities are to be in place by July 1, 2009.

Repeated extensions to the rules have caused confusion, and a number of national environmental newsletter summaries have not made clear:

- ∅ The technical rules are final.
- ∅ Most changes are to be in place at facilities by July 1, 2009.

EPA has deferred only certain items until at least January 14, 2010, and those items only relate to items which were under review in the December 2008 rule revisions. Unless facility owners and operators are sure that specific contingency plan items not in place at the facility were a part of the 2008 revisions, it is strongly recommended that each facility's Spill Prevention Control and Countermeasure (SPCC) Plan be updated NOW, and be in place before July 1, 2009.

The SPCC regulatory revisions since 1998, include the following key items, which many facilities do not have in effect:

- ∅ Secondary containment for aboveground storage tank(s), or waivers for impracticability and written justification as to alternative measures, where secondary containment is not feasible at an individual tank area.
- ∅ Warning signs for overhead piping.
- ∅ Upgraded loading and unloading procedures for liquids, to avoid inadvertent drive-away incidents.
- ∅ Documentation on how spills during loading and unloading can be contained by rapid response, if secondary containment is not provided at the loading or unloading location.
- ∅ Updated and upgraded training in response to the new regulations.
- ∅ Engineering documentation that overhead pipes are adequately supported.
- ∅ Locking devices on ports and/or motor starters to avoid vandalism releases during off hours.
- ∅ Updated security provisions.

In the last year, RT has already updated dozens of SPCC Plans, to meet the new regulatory requirements. We can also supply PowerPoint training presentations on the new requirements, for certain industry sectors.

Consultants who practice in the area of response plan preparation, are all recommending to their clients that an updated Spill Prevention Control and Countermeasure Plan be in place within the next 60 days, to include compliance dates for any items under the new regulations which will not be in place by July 1, 2009.

RT is prepared to consult with clients and to make recommendations on what others are doing to meet the new regulatory requirements using practical approaches, now that the regulations are final. Regardless of whether or not individual facilities may have certain elements where compliance may be extended until January 14, 2010 or beyond, we are finding that many facilities are not aware that they must have in place the required elements through 2002 EPA regulatory revisions which now are final, and are to be in place by the July 1, 2009 date.

RT is prepared to assist all of those covered by the regulatory revisions, and have a plan in place before July 1st. To discuss your facility-specific situation, call Larry Bily at 800-725-0593 Ext. 236, or by email at lbily@rtenv.com

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