



# CALIFORNIA FARM BUREAU FEDERATION

GOVERNMENTAL AFFAIRS DIVISION

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**DATE: OCTOBER 21, 2011**

**TO: COUNTY FARM BUREAU MANAGERS AND EXECUTIVE DIRECTOR'S**

**FROM: ANDREA FOX, GOVERNMENTAL AFFAIRS**

**RE: SPCC PLAN – COMPLIANCE DATE EXTENDED TO MAY 10, 2013**

On October 18, 2011, the U.S. EPA extended the date for farms to prepare or amend their Spill Prevention, Control and Countermeasure (SPCC) Plans to *May 10, 2013*.

Farms and ranches in operation before August 16, 2002, must maintain and continue implementing an SPCC Plan in accordance with the SPCC regulations that have been in effect since 1974. Farms are required to maintain plans during the interim until the compliance date for amending and implementing the amended plans. The date extension does not relieve farms from the liability of any oil spills that occur.

**What are the compliance dates for farms?**

<i>A Farm starting operation...</i>	<i>Must...</i>
On or before August 16, 2002	Maintain its existing SPCC Plan Amend and implement the amended SPCC Plan no later than <b>May 10, 2013</b>
After August 16, 2002 through <b>May 10, 2013</b>	Prepare and implement an SPCC Plan no later than <b>May 10, 2013</b>
After <b>May 10, 2013</b>	Prepare and implement an SPCC Plan <i>before</i> beginning operations

A brief overview of what you need to know for your agricultural operation about petroleum and non-petroleum oil products storage is outlined below and in additional attached documents.

## US EPA – Spill Prevention, Control and Countermeasure (SPCC) Plan

The federal SPCC program is to prevent \*oil spills into waters of the United States and adjoining shorelines. Farms, nurseries, logging and construction sites are **not** exempt under the federal SPCC regulations and are required to develop, certify and implement an SPCC Plan if:

- The farm stores, transfers, uses, or consumes \*oil or \*oil products; and
- The farm stores more than 1,320 gallons in aboveground containers of 55 gallons or greater or more than 42,000 gallons in completely buried containers (Adjacent or non-adjacent parcels, either leased or owned, may be considered separate facilities for SPCC purposes do not need to be added together in determining whether the 1,320-gallon applicability threshold is met); and
- If the tanks could reasonably be expected to discharge oil to waters of the US or adjoining shorelines, such as interstate waters, intrastate lakes, rivers, and streams.

*\* Please note: Federal definition of oil: diesel fuel, gasoline, lube oil, hydraulic oil, adjuvant oil, crop oil, vegetable oil, oil from nuts, seeds or animal fat.*

### What should you do if you don't have a Plan?

#### 1. Develop your SPCC plan:

- If your farm was in operation *before August 16, 2002* and you do not already have an SPCC Plan in place, you must prepare a plan *now*. If you have an SPCC plan in place you must maintain or amend your existing plan by *May 10, 2013* and keep a copy on site.
- If your farm began operation *after August 16, 2002*, you must develop, certify and implement an SPCC Plan on or before *May 10, 2013*.
- Your Plan must be amended and updated when changes are made to the farm, i.e. if you add new storage containers or purchase or lease parcels with containers that can contain 55 gallons or more. You must review and amend your Plan every five years to make sure it includes any changes in oil storage at your farm.

#### 2. Certify your SPCC plan:

- You may use the SPCC Plan Tier I or II template available on the California Farm Bureau website: <http://www.cfbf.com/issues/index.cfm>
- Or you may need to have a certified Professional Engineer prepare your SPCC plan if your farm has storage capacity of **more than** 10,000 gallons or has had an oil spill.

3. Retain your SPCC plan with your records at the site of your operations. ***Do not*** send your completed plan to US EPA.

For additional information regarding the SPCC plan requirements for farms, secondary containment, Tier I & Tier II self-certification templates, check the U.S. EPA SPCC website: [http://www.epa.gov/oem/content/spcc/spcc\\_extfarms.htm](http://www.epa.gov/oem/content/spcc/spcc_extfarms.htm) or [cpastormarc@restlife.net](mailto:cpastormarc@restlife.net) contact Andrea Fox at the California Farm Bureau: 916-446-4647.