STANLEYCONSULTANTS

How to Navigate a Facility Response Plan

Becky Svatos, *Stanley Consultants*

&

Jeff Pritchard, *US EPA Region 7*

Oil Spill Prevention Regulations

- 40 CFR 112
- Apply to facilities with potential for oil spill to reach waterway
- Spill Prevention Control and Countermeasure (SPCC) Plans required for many facilities
- Facility Response Plans (FRPs) required only for larger SPCC facilities

What is the difference between an SPCC Plan and a Facility Response Plan?

- SPCC Plan Applicability
  - Total aboveground oil storage capacity > 1,320 gallons

    OR
  - Completely buried oil storage capacity > 42,000 gallons

- FRP Applicability
  - Total oil storage capacity ≥ 1 Million Gallons (MG)

    OR
  - Total oil storage capacity ≥ 42,000 gallons and transfer oil over water

What is an oil?

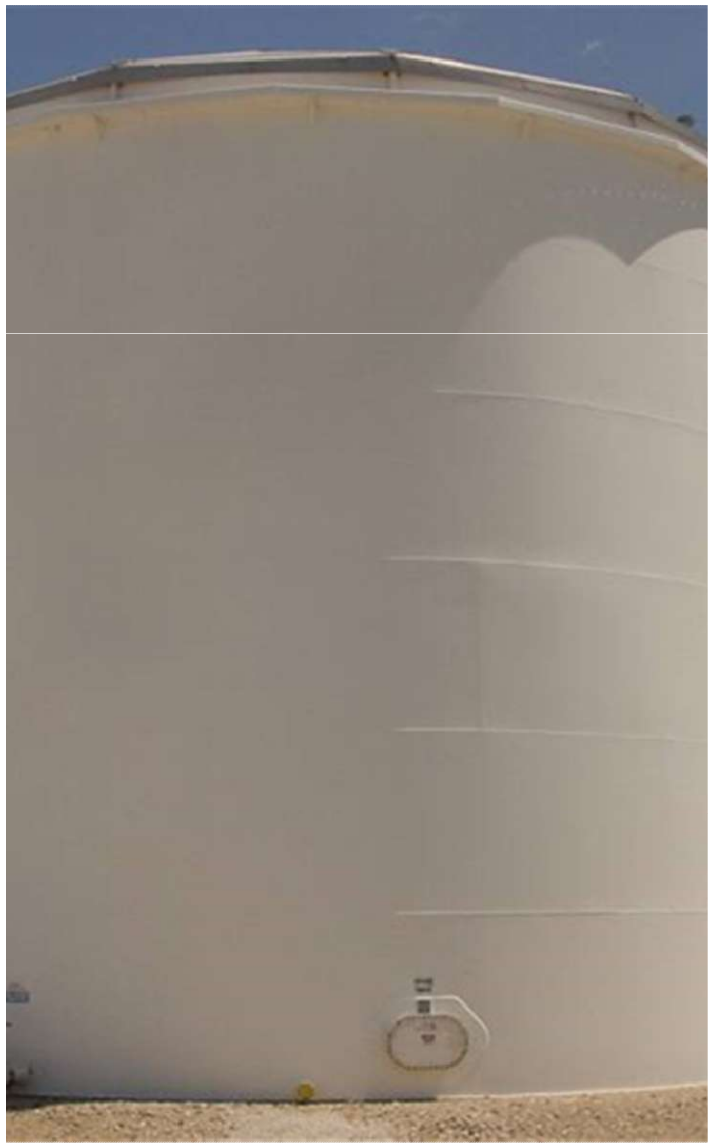
40 CFR 112.2

"*Oil* means oil of any kind or in any form…"

- Petroleum oil
- Gasoline/diesel fuel
- Vegetable oil
- Anything mixed with oil
- Denatured ethanol - but not ethanol

Substantial Harm Criteria

- Non-transportation related facility with ≥ 42,000 gallon oil storage capacity with over-water oil transfers to/from vessels
- ≥ 1 MG oil storage capacity and lack of adequate secondary containment
- ≥ 1 MG oil storage capacity and located such that spill could harm fish, wildlife and sensitive environments
- ≥ 1 MG oil storage capacity and located such that spill could shut down a public drinking water intake
- ≥ 1 MG and had reportable oil spill ≥ 10,000 gallons within past 5 years



Substantial Harm Criteria

- Substantial Harm Facility – one criterion met
- Significant and Substantial Harm Facility - two or more criteria met
- Significant and Substantial Harm Facilities have more stringent requirements:
  - EPA must approve FRP (not just review)
  - EPA sets schedule to regularly review FRP – review period cannot exceed 5 years

FRP Requirements

- Must submit FRP to EPA
- Revise within 60 days of facility change that may materially affect response to a worst case discharge
- Hazard evaluation
- Spill response resources and planning
- Regular drills and exercises to prepare for spills
- Signed contract with cleanup contractor -

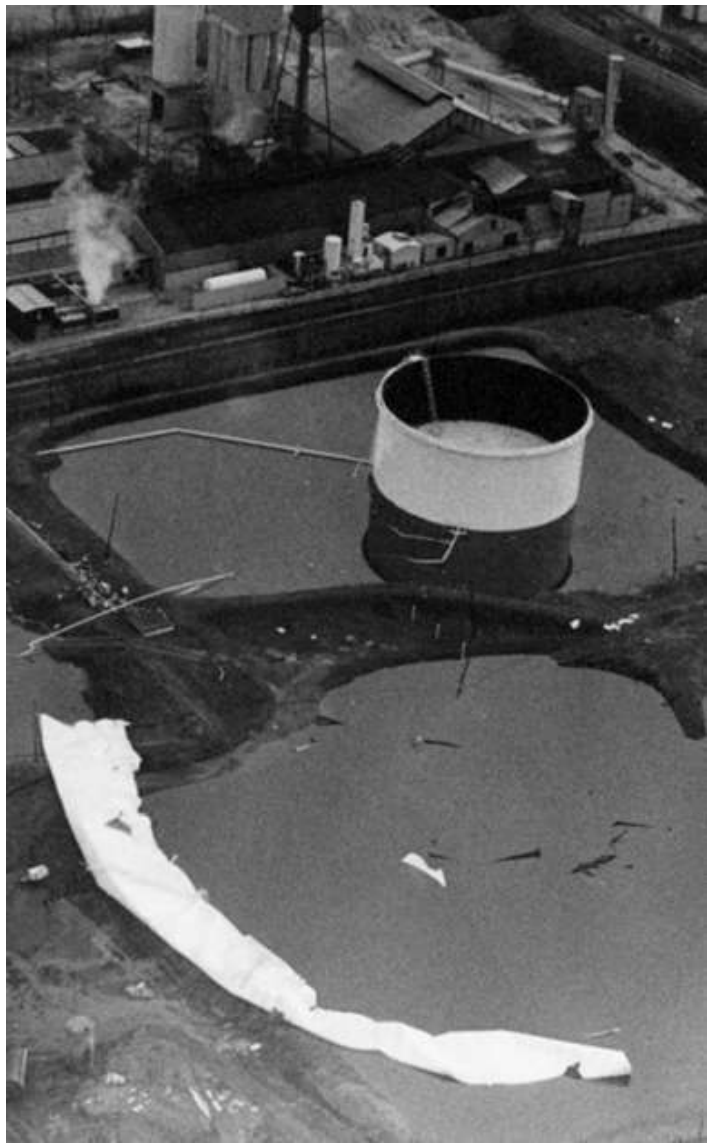
  Oil Spill Removal Organization (OSRO)

Hazard Evaluation

- Review spill history to identify risks
- Planning distance calculation
  - Distance worst case spill could travel
  - Impacts within that travel distance
- Spill response planning for range of spills:
  - ≤ 2,100 gallons
  - > 2,100 gallons and ≤ 36,000 gallons (or 10% of largest storage tank capacity, whichever is less)
  - Worst case – complete failure of largest storage tank
- Identify spill response resources for each spill - either owned by facility or contracted

Drills and Exercises

- Facility conducts these to prepare to respond to spills
- Follow US Coast Guard National Preparedness for Response Exercises Program (PREP) guidelines
- Guidelines cover 3-year cycle; this annual cycle meets PREP:
  - Quarterly Qualified Individual Notifications
  - Annual Tabletop Exercise
  - Twice Annual Equipment Deployment Exercises
- Document all exercises and responses to actual spills



Drills and Exercises

- Quarterly Qualified Individual (QI) notifications
  - Contact QI by phone, pager, radio, etc.
  - Contact once each year during non-business hours
- Annual Tabletop exercise
  - Meet with response personnel and discuss response to a potential spill
  - Address response to worst case spill once every three years

Drills and Exercises

- Equipment Deployment exercises
  - Twice annually practice deploying facility-owned equipment
  - Must be able to initiate response action within an hour
  - Keep annual OSRO documentation of their equipment deployment exercises
- Either tabletop or equipment deployment must be unannounced each year

Questions?

Becky Svatos

Vice President, Stanley Consultants

svatosbecky@stanleygroup.com

319-626-5313