



Oil Spill Prevention, Control, and Countermeasures (SPCC Program): Farms and the Water Resources Reform and Development Act (WRRDA)

This fact sheet explains impacts of the Water Resources Reform and Development Act (WRRDA) of 2014, as signed by the President on June 10, 2014, on the SPCC rule and farms. In addition, EPA anticipates revising the SPCC rule consistent with the WRRDA amendments through a future rulemaking.

What is SPCC?

The goal of the Spill Prevention, Control, and Countermeasure (SPCC) program is to prevent oil spills into waters of the United States and adjoining shorelines. A key element of this program calls for farmers and other oil storage and handling 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 the SPCC rule, 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."

How does WRRDA affect SPCC for farms?

Section 1049 of the Act changes certain applicability provisions of the SPCC rule for farms, and modifies the criteria under which a farmer may self-certify an SPCC Plan.

Under WRRDA, a farm is not required to have an SPCC Plan if it has:

- An aggregate aboveground storage capacity less than 2,500 gallons
- OR**
- An aggregate aboveground storage capacity greater than 2,500 gallons and less than 6,000* gallons; and
 - No reportable discharge history.

A farmer can self-certify the SPCC Plan if the farm has:

- An aggregate aboveground storage capacity greater than 6,000* gallons but less than 20,000 gallons;
- No individual tank with a capacity greater than 10,000 gallons; and
- No reportable discharge history.

*This 6,000-gallon threshold may be adjusted by EPA, following a study to determine the appropriate exemption.

A farmer must have a licensed Professional Engineer (PE) certify the SPCC Plan if the farm has:

- An individual tank with an aboveground storage capacity greater than 10,000 gallons; **OR**
- An aggregate aboveground storage capacity greater than or equal to 20,000 gallons; **OR**
- A reportable discharge history.

Is my farm covered by SPCC?

SPCC applies to a farm that:

- 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 **2,500 U.S. gallons** in aboveground containers; and
- Could **reasonably be expected to discharge oil to waters** of the United States 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. Use this fact sheet to determine the kind of Plan you need.

What is 'reportable discharge history'?

WRRDA defines "reportable oil discharge history" as: a single oil discharge as described in section 112.1(b) of the SPCC rule that exceeds 1,000 gallons, or 2 oil discharges, that each exceed 42 gallons within any 12-month period—
(i) in the 3 years prior to the certification date of the SPCC Plan (as described in section 112.3 of the SPCC rule); or
(ii) since becoming subject to the SPCC rule (40 CFR part 112), if the facility has been in operation for less than 3 years.

Will these thresholds change in the future?

WRRDA provides for EPA to work with USDA to conduct a study to determine the appropriate applicability threshold for farms, based on a significant risk of discharge to water. The threshold quantity must be not more than 6,000 gallons and not less than 2,500 gallons. The study is scheduled to be completed by June 2015. EPA will then promulgate a rule amending the SPCC requirements to adjust the applicability thresholds.

Under WRRDA, how do I determine what certification is required for my farm’s SPCC Plan?

If your farm is subject to the SPCC rule (see the “Is my farm covered by SPCC?” text box on the previous page for applicability criteria):

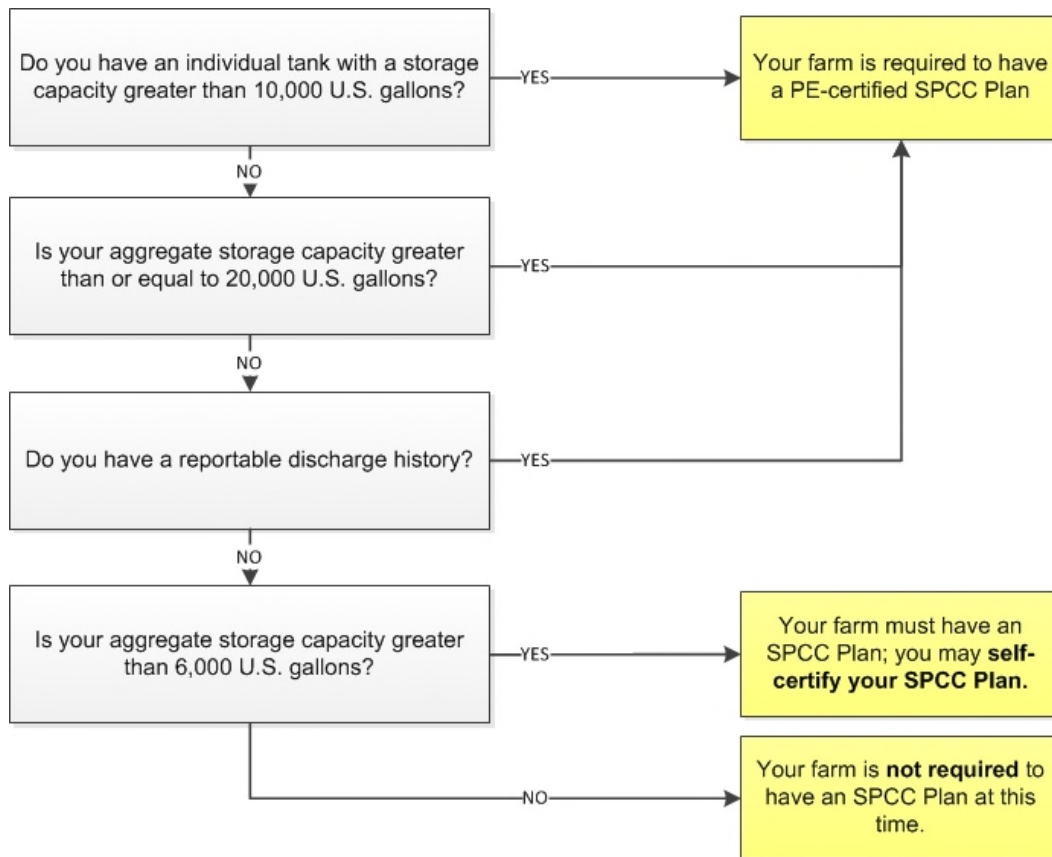
1. Calculate your *aggregate aboveground oil storage capacity*.

Do not count:

- All containers on separate parcels that have a capacity that is 1,000 gallons or less;
- Containers storing heating oil used solely at a single-family residence (e.g., your personal residence as the farm owner or operator);
- Pesticide application equipment or related mix containers (with adjuvant oil);
- Any milk and milk product container and associated piping and appurtenance;
- Completely buried oil tanks (underground storage tanks or USTs) and associated piping and equipment that are subject to all of the technical requirements under EPA’s underground storage tank regulations at 40 CFR part 280 or 281;
- Containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of the Food and Drug Administration (FDA).

2. Review your *reportable discharge history*. (See the “What is ‘reportable discharge history?’” text box on the previous page)

3. Use the following flowchart to determine what kind of certification is needed for your farm’s SPCC Plan.



For More Information

Read the SPCC rule and additional resources: <http://www.epa.gov/emergencies/spcc>

- **Revised *SPCC Guidance for Regional Inspectors*:**
http://www.epa.gov/emergencies/content/spcc/spcc_guidance.htm
- **EPA's *SPCC for Agriculture* webpage:**
http://www.epa.gov/emergencies/content/spcc/spcc_ag.htm

Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center: (800) 424-9346 or (703) 412-9810
TDD (800) 553-7672 or (703) 412-3323
<http://www2.epa.gov/epcra/superfund-tri-epcra-rmp-oil-information-center>