

## WHAT TO EXPECT DURING AN SPCC/FRP INSPECTION

### About the Compliance Assistance Guides...

The U.S. Environmental Protection Agency (EPA) has prepared this series of guides for owners and operators of oil facilities to help you better understand the Federal Oil Pollution Prevention regulation. This regulation has two sets of requirements -- the Spill Prevention Control and Countermeasure (SPCC) plan rule (an oil spill *prevention* program), and the Facility Response Plan (FRP) rule (an oil spill *response* program). You *must* comply with these requirements if you meet the applicability provisions set out in each rule. You can find the Federal Oil Pollution Prevention regulation in Title 40 of the Code of Federal Regulations (CFR) part 112 (40 CFR part 112). The CFR is available at Federal Depository Libraries around the country, many of which are on the campuses of major colleges and universities. The CFR is also available online at <http://www.gpo.gov>. Be aware that the series is *guidance* only; you should get a copy of the rule and read it if you think it applies to you.<sup>1</sup> A complete list of Oil Spill Program outreach guides and information on obtaining them appears in the “Compliance Assistance Guides” section at the end of this document. Or you may find the series at EPA’s Oil Spill Program Website at <http://www.epa.gov/oilspill>.

This guide, *What to Expect During an SPCC/FRP Inspection*, describes typical SPCC and FRP inspections, and will prepare you and your staff for an actual inspection.

### Why is my facility inspected and what regulatory guidelines do inspectors follow?

Spill Prevention Control and Countermeasure (SPCC) and Facility Response Plan (FRP) inspections are conducted pursuant to the Oil Pollution Prevention Regulation of the Clean Water Act as amended by the Oil Pollution Act of 1990. The inspections have two purposes: (1) to ensure that oil storage facilities, refineries, electrical utilities, and oil production fields, among other subject industries, are in compliance with 40 Code of Federal Regulations (CFR) part 112 and (2) to give U.S. Environmental Protection Agency (EPA) representatives the opportunity to educate owners and operators about the regulations and ways to ensure compliance.

SPCC inspections, conducted pursuant to 40 CFR 112.1 through 112.7, and FRP inspections, conducted pursuant to 40 CFR 112.20 and 112.21, are usually combined for facilities that are subject to both.

All EPA personnel and representative inspectors are trained in accordance with 29 CFR 1910.120 pursuant to the Occupational Safety and Health Act (OSHA) and carry personal protective equipment (PPE) typically consisting of hard hats, steel-toed boots/shoes, and NOMEX coveralls when necessary. Your facility should inform the inspector(s) of any site-specific safety-related considerations regarding clothing or equipment.

### What can I expect during an SPCC Inspection?

Inspections are conducted by one or more EPA representatives. EPA inspectors or contractors may notify you of an inspection, though some EPA regions conduct only unannounced inspections.

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<sup>1</sup>This guidance is based on the existing SPCC/FRP rule and policies in December 31, 1998. This guidance may change as the SPCC rule is revised.

To be prepared for the inspection you should have:

- A copy of its SPCC Plan available for the inspector(s) to review. In addition, you should provide the inspector(s) with any other relevant documentation of your operating procedures, spill prevention measures, personnel training, inspection procedures, drainage discharges, and spill incidents.
- A site diagram on hand that identifies your tankage, diversionary structures, and drainage patterns to help the inspector(s) in carrying out the inspection. One should also be included in your SPCC Plan.

The inspection usually begins with a review of your facility's SPCC Plan to familiarize the inspector(s) with your facility's operations, including aboveground and underground equipment (i.e., tanks, pipelines, oil-water separators, etc.).

After the opening review, the inspector(s) conducts a walk-through of your facility to ensure that the SPCC measures discussed in your Plan have been implemented. Inspectors may request approval to take photographs. The inspector(s) will usually hold a debriefing meeting to conclude the inspection and to discuss observations.

For the meetings and the facility tour, personnel who are familiar with your facility's SPCC measures, diversionary structures, and standard operating procedures should accompany the inspector(s). This will minimize any delay in responding to the inspector(s)'s questions and ensure that you provide the correct information.

The inspector(s) will evaluate your facility's SPCC measures and Plan and the condition of your:

- Storage tanks, and other equipment containing oil;
- Diversionary structures; and
- Truck loading/unloading areas.

Most importantly, the inspector(s) will evaluate your: facility design; drainage patterns; operating procedures; and SPCC measures and their ability to prevent the release of oil to storm drains (onsite or offsite), creeks, streams, ditches, rivers, bays, or other waterways. This evaluation may be summarized in a letter or a more detailed report containing photographs.

### **What can I expect during an FRP inspection?**

Usually, a team of two to four inspectors conducts your FRP inspection. During the inspection the team interviews your facility's Qualified Individual (QI) and inspectors conduct a walk-through with facility personnel to test their knowledge of and ensure that they have properly implemented the FRP. Inspectors will evaluate FRP measures for their ability to facilitate adequate response to a worst-case discharge of oil.

The inspectors may conduct an unannounced drill during which they will inspect the condition of spill equipment identified in the FRP, testing logs, and other records.

Following the inspection, EPA will send your facility either a letter, report, or checklist identifying regulatory deficiencies and the actions your facility is required to take in response, or a confirmation letter that your facility was in compliance at the time of inspection.

### **What are the benefits of such inspections?**

EPA views inspections as coeducational: inspectors can learn from industry experience, and facilities can learn from EPA about the adequacy and advisability of certain discharge prevention and control methods. EPA strives to work with facility owners and operators to remedy any problems found during an inspection.

### **Where do I go for more information?**

#### **COMPLIANCE ASSISTANCE GUIDES**

EPA's Compliance Assistance Guides are listed below. You can obtain these guides by contacting EPA Headquarters, any of the 10 EPA Regional Offices, or by visiting EPA's Oil Spill Program Website at <http://www.epa.gov/oilspill>.

- ◆ Introduction and Background to the Oil Pollution Prevention Regulation
- ◆ Who's Who: Federal Agency Roles and Responsibilities for Oil Spill Prevention and Response
- ◆ What to Expect During an SPCC/FRP Inspection
- ◆ Facility Response Planning
- ◆ Sample SPCC Plan and Sample Containment Volume Calculations
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Bulk Oil Storage Facilities
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Oil Production and Oil Drilling/Workover Facilities
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Farms and Ranches
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Mines and Quarries
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Vehicle Service Facilities
- ◆ Spill Prevention Requirements for Facilities Conducting Large Volume Transfer Operations
- ◆ Spill Prevention and Control for Marinas and Other Waterside Fueling Facilities
- ◆ Oil Spill Notification, Response, and Recovery