



April, 2009

The following is intended to be a summary of the 28 page USEPA Report - 40 CFR Part 112. The highlighted passages are for quick reference where the ecoStop spill control valve could be used in an overall SPCCP. The ecoStop valve has been validated as an integral component when used to satisfy this regulation. Please note that this document, even though hi-lighted, should be read in its entirety.

We have used the following hi-lites as a reference code:

Blue – References to this summary sheet

Yellow – Control Plan requirements for 10,000 gallons or less

Brown – Electrical Equipment

Green – Mobile Refuelers

## **Summary**

### **“EPA 40 CFR Part 112”** - *(Pg 77266 of the Federal Register)*

“SUMMARY: The Environmental Protection Agency (EPA or the Agency) is amending the Spill Prevention, Control, and Countermeasure (SPCC) Plan requirements by:

- 1) Providing the option for owners and operators of facilities that store 10,000 gallons of oil or less, and meet other qualifying criteria, to self-certify their SPCC Plans in lieu of review and certification by a Professional Engineer
- 2) Providing an alternative to the general secondary containment requirement, without requiring a determination of impracticability for facilities that have particular types of oil-filled equipment.
- 3) Defining and exempting particular vehicle fuel tanks and other on-board bulk oil storage containers used for motive power.
- 4) Exempting mobile refuelers from the sized secondary containment requirements for bulk storage containers.

The Agency also is removing and reserving the SPCC requirements for animal fats and vegetable oils that are specific to onshore oil production facilities, onshore oil drilling and workover facilities, and offshore oil drilling, production, or workover facilities. Finally, the Agency is extending the SPCC compliance dates for farms.

These changes significantly reduce the burden imposed on the regulated community for complying with the SPCC requirements, while maintaining protection of human health and the environment. In a separate document in this Federal Register, the Agency is proposing to extend the compliance dates for all facilities.

DATES: This final rule is effective February 26, 2007.”



**List of Subjects in 40 CFR Part 112 – (Pg 77290 of the Federal Register)**

Environmental protection, sub-parts Airports, Animal fats and vegetable oils, Farms, Fire prevention, Flammable materials, Materials handling and storage, Oil pollution, Oil spill response, Penalties, Petroleum, Reporting and recordkeeping requirements, Tanks, Water pollution control, Water Resources.

Dated: December 12, 2006

Stephen L. Johnson,  
Administrator

**EPA 40 CFR Part 112 sub-part index - (Pg 77290 of the Federal Register)**

**§ 112.2 Definitions (as applied to specific petroleum spill prevention)**

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Mobile refueler means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

Motive power container means any onboard bulk storage container used primarily to power the movement of a motor vehicle, or ancillary onboard oil-filled operational equipment. An onboard bulk storage container which is used to store or transfer oil for further distribution is not a motive power container. The definition of motive power container does not include oil drilling or workover equipment, including rigs.

Oil-filled operational equipment means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (e.g., those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

**§ 112.6 Qualified Facility Plan Requirements – (Pg 77291 of the Federal Register)**

(b) (1) If a Professional Engineer certified a portion of your Plan in accordance with paragraph (d) of this section, and the technical amendment affects this portion of the Plan, you must have the amended provisions of your Plan certified by a Professional Engineer in accordance with § 112.6(d)(2).



**§ 112.7 Qualified Facility Plan General Requirements – (Pg 77292 of the Federal Register)**

Your Plan may not include alternate methods which provide environmental equivalence pursuant to § 112.7(a)(2), unless each alternate method has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (d) of this section.

**§ 112.7(c) (as applied to airport / bulk storage petroleum spill prevention)  
(Pg 77284 of the Federal Register)**

“Members of the aviation sector were generally supportive of the proposal. Commenters generally supported the proposed exemption of airport mobile refuelers from certain provisions of the SPCC regulations and noted that general secondary containment is already practiced at airports. Commenters stated that requiring secondary containment around airport mobile refuelers, while they are stationary or idle creates serious safety and security risks. One commenter did have reservations about certain provisions of the rule still governing airport mobile refuelers, specifically the provisions of § 112.8(c) and the general secondary containment requirements of § 112.7(c). A Professional Engineering firm opposed the exemption of airport mobile refuelers from certain provisions of the SPCC regulation. The commenter asserted that the argument regarding the accident potential for not excluding airport fuel transporters is highly questionable, since airport fuel spills are well documented.”