



Breakdown of SPCC Plans for Aboveground Petroleum Storage Tank (APSA)

What is the Aboveground Petroleum Storage Act (APSA)?

Many tank facilities with an aggregate storage capacity of 1,320 gallons of petroleum or greater must prepare and implement a Spill Prevention Control and Countermeasure (SPCC) Plan in accordance with federal law, 40 CFR 112. Some facilities may not be required to prepare and implement an SPCC Plan under the APSA program, if certain conditions are met. Tank facilities potentially subject to the APSA program include all of the following: facilities subject to the SPCC Rule, facilities with 1,320 gallons or more of petroleum, and facilities with one or more tanks in an underground area (TUIGA).

For more information on exemptions, requirements, and applicability, visit the [Office of the State Fire Marshall website](#).

Which Plan Do I Need to Implement?

The SPCC Rule divides its facilities into qualified and non-qualified facilities. The qualified facilities are able to be broken down into one of two tiers and are able to self-certify a plan based off of templates provided by US EPA. Non-qualified facilities are required to have an SPCC plan certified by a professional engineer (PE), which must be recertified if there are any technical amendments to the PE-certified SPCC Plan. All SPCC Plans must be reviewed by the owner or operator at least every five years.

Tier I SPCC Plan:

- 10,000 US gallons or less aggregate above-ground oil storage capacity; and
- Within any 12-month period, three years prior to the Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, there cannot have been:
 - A single discharge of oil to navigable waters or adjoining shorelines exceeding 1,000 US gallons; or
 - Two discharges of oil to navigable waters or adjoining shorelines each exceeding 42 US gallons within any 12-month period
- No individual above-ground oil container greater than 5,000 US gallons

Tier II SPCC Plan:

- 10,000 US gallons or less aggregate aboveground oil storage capacity; and
- Within any 12-month period, three years prior to the Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, there cannot have been:
 - A single discharge of oil to navigable waters or adjoining shorelines exceeding 1,000 US gallons; or
 - Two discharges of oil to navigable waters or adjoining shorelines each exceeding 42 US gallons within any 12-month period
- Has individual aboveground oil container(s) greater than 5,000 US gallons; or
- Owner or operator eligible for Tier I qualified facility status but decides not to take the option or chooses to develop a “hybrid” plan



Non-qualified Facilities:

- More than 10,000 US gallons aggregate aboveground oil storage capacity; or
- Within any 12-month period, three years prior to the Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, there has been:
 - A single discharge of oil to navigable waters or adjoining shorelines exceeding 1,000 US gallons; or
 - Two discharges of oil to navigable waters or adjoining shorelines each exceeding 42 US gallons within any 12-month period

CONDITIONALLY EXEMPT TANK FACILITIES*

Certain tank facilities are exempt from preparing an SPCC Plan under APSA if certain conditions are met, but the facilities are still required to meet all other APSA requirements. These requirements include the electronic submittal of an annual tank facility statement on the California Environmental Reporting System (CERS) website, or Hazardous Materials Business Plan (HMBP) submittal in lieu of a tank facility statement, in addition to the payment of all applicable feeds and APSA state surcharges.

FARMS, DAIRIES, NURSERIES, LOGGING SITES, CONSTRUCTION SITES

- No AST Exceeds 20,000 Gallons and the cumulative storage capacity of the tank facility does not exceed 100,000 Gallons
- Failure to comply with the following will result in loss of Exempt status
 - Conduct daily visual inspections of any storage tank storing a petroleum product
 - Allow the CUPA to conduct a periodic inspection of the tank facility
 - Install a secondary containment for each tank or group of tanks (if required by the CUPA)

* While farms, nurseries, logging sites, or construction sites are conditionally exempt from the requirements to prepare an SPCC Plan under APSA, these facilities are not exempt from federal SPCC requirements enforced by US EPA.

OIL PRODUCTION FACILITIES

In accordance with the information detailed in the 2014 Memorandum of Agreement between the Geologic Energy Management Division (CalGEM) and OFSM, tanks and pipelines located with the lease areas of oil and gas fields, and integrally associated with oil and gas production, are generally 'attendant to' oil and gas production, and therefore, under CalGEM's jurisdiction. Standalone tanks on the lease, not connected to the wellhead by physical pipeline, are considered integrally associated with oil and gas production.

To view the associated matrices for Oil Production Facilities, please visit [2014 Memorandum of Agreement for Oil Production Facilities](#)