

How Does Oil Spill Response Affect Me?

Appropriate techniques for dealing with oil spills are critical to ensuring minimal impact on human health and the environment.

Many facilities store oil on their premises as part of normal business operations. During the course of business, as oil is stored or transferred, it is susceptible to release or spillage. Such release, whether intentional or otherwise, may result in significant environmental upset. *The release itself is also regulated at the federal and state levels.*

Appropriate techniques for dealing with oil spills are critical to ensuring minimal impact on human health and the environment. In creating an effective oil spill management plan, the following must be addressed:

- Specific local conditions, including employee health/safety and sensitive ecosystems
- Facility requirements based on the nature of the oil being stored
- Specific limitations that may be present at the facility

AREA OF CONCERN

Many environmental health and safety managers may ask themselves: “How does oil spill response affect my organization and me?” *If you store oil at your facility, you are likely subject to city, county or state laws that require you be prepared to respond to an oil spill.* This paper addresses the requirements for an oil spill response effort and sets forth ideas that health and safety managers can use when developing their own oil spill response strategies.

CONSIDERATIONS

The organization must first understand the regulatory requirements, and then develop and be prepared to *implement an effective approach to address oil spills.* The spill response requirement depends on how much oil is stored at the facility. The extent of the strategy depends on the reasonable likelihood of oil being released.

Definition of Oil: The United States Environmental Protection Agency (USEPA) defines oil, in Section 311(a)(1) of the Clean Water Act, as:

Oil of any kind in any form including, but not limited to: fats, oils or greases of animal, fish or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits or kernels; and other oils and greases, including petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse or oil mixed with wastes other than dredged spoil.

Delays in mitigating oil spill impact may result in significant site cleanup costs.

Oil can thus be categorized as follows:

- **Petroleum-based oil:** Fuel (diesel, unleaded gasoline), asphalt, heating oil, mineral oil, motor oil, used oil, automotive fluids
- **Coal-based oils:** Creosote, coal oil and tar
- **Vegetable, fruit or nut oils:** This may include edible and non-edible oils
- **Animal fats:** Fatty acid, tallow fatty acid, chicken fat, lard
- **Other oils:** Synthetic oil, oil mixtures and sludges

Generally, oil spills result from tank/piping failure or during oil transfer activities. In most cases, facilities with **1,320 gallons or more** of aboveground oil storage capacity (in 55 gallon or larger containers) are required by the USEPA's Oil Pollution Prevention regulation (40 CFR §112) to develop a **Spill Prevention, Control and Countermeasures (SPCC)** plan which must provide a detailed risk assessment. Oil may also be stored at facilities in underground storage tanks (USTs) that are subject to federal (USEPA) requirements under 40 CFR §280 as well as state-level regulations.

Spill Reporting: Spill reporting requirements vary considerably, depending on the jurisdiction. Generally, the release must be reported to state/federal and sometimes city/county officials; the facility owner is responsible for immediate oil spill cleanup. Failure to perform prompt oil spill cleanup may result in significant monetary fines. Additionally, delays in mitigating oil spill impact may result in significant site cleanup costs. Generally speaking, petroleum spills of 25 gallons or greater are to be reported to state environmental regulatory agencies, but many states have more stringent requirements. In general, the spill reporting must be customized to address the specific jurisdictional requirements.

STRATEGY

Once the oil storage and spill reporting requirements are understood, *the facility owner should develop an Oil Spill Response Plan*. This plan is used by the facility to manage oil spills. The Oil Spill Response Plan should include four main components:

Spill procedures: What is actually done when a spill occurs? Who is in charge of implementing the plan? How is the plan implemented? This component generally includes four items:

- **Incident initiation:** Who, when and how does an oil spill incident begin?
- **Command control:** How is the oil spill incident managed?
- **Roles/responsibilities:** Who does what?
- **Incident termination:** How does the oil spill incident end?

Scope of response: One of the most challenging aspects of spill response planning is determining your facility's capability to deal with a spill. The critical question to ask yourself when creating a response plan is: "When do we ask for help?" Unfortunately, many facilities are not fully aware of the resources available to them, and overlook the use of third parties as spill response partners, often with disastrous and costly consequences.

It is very easy for an organization to overlook reporting to a key city, county or state regulatory agency, which, if discovered, may be considered “failure to report” a spill.

Spill Drills: Even the best plan in the world can fail if it is not implemented properly. Without training and practice, it is very difficult to have a successful spill response experience. At a minimum, it is recommended that spill plans be exercised yearly. Personnel involved in the established response plan should conduct one or more “dry runs” of a mock spill event. This will ensure that equipment and personnel are trained, ready and active.

Notifications: A crisp approach to notifications is not just a good public relations tool. In the heat of battle, it is very easy for an organization to overlook reporting to a key city, county or state regulatory agency, which, if discovered, may be considered “failure to report” a spill. A good spill response plan should take into account required notifications and reporting requirements. To avoid confusion, the employees responsible for making the notifications should be pre-identified and familiar with notification requirements. These four components should work in unison, under the umbrella of the Oil Spill Response Plan. An effective oil spill response includes many other details, such as team composition, training requirements and spill response materials.

SUMMARY

Effective spill response execution is of critical importance and does not occur/happen casually. It is usually the product of intensive planning, coordination and effective execution.

Please contact us at 800-805-6002, and a Sierra Piedmont team member will be happy to assist you with your specific project.