

Common Questions about APSA and Spill Plans

What is APSA?

APSA is California's "Aboveground Petroleum Storage Act" (HSC Chapter 6.670). It requires you to have a Spill Prevention and Countermeasure Plan (SPCC Plan) if you store:

- 1,320 gallons or more of petroleum product in 55 gallons containers or larger.
- 55 gallons or more of petroleum in a "Tank in an Underground Area" (TIUGA), (i.e. basement, pit, cellar, vault, etc.)

What is a Spill Prevention Control and Countermeasure Plan?

In a nutshell, it's a plan designed to help you take the right steps to prevent petroleum spills at your facility. It should also outline the actions you will take to clean up a spill if one should occur.

Is this the same as the Federal SPCC Rule?

No, but it's very similar. Under the Federal SPCC Rule law, anyone who handles 1,320 gallons or more of *oil that could spill into navigable waters* must have a Spill Prevention Control and Countermeasure Plan (SPCC Plan). This falls under the jurisdiction of the U.S. EPA (SPCC Rule) (Title 40, Chapter 1, Subchapter D, Part 112).

How are these two related?

The goal of both laws is to prevent and decrease the effects of oil spills. California based APSA on the Federal SPCC Rule, but there are some differences. In California an SPCC Plan is specific to sites that store petroleum products and does not take into account the facility's location. The Federal SPCC Rule is not limited to petroleum oils and only applies if the business is close to "navigable waters." Depending on what you store and where you're located, it is possible to be subject to both laws.

	APSA (California Only)	Federal SPCC Rule
What kind of "Oil" is involved?	Petroleum Only	"Oils" in general (including fats, grease, sludge, etc.)
Does it matter where my business is?	In California, your location does not matter	Only applies if you are near "navigable waters"
Who is the regulating agency?	Local CUPA Agency: (559) 600-3271	US EPA: 1(800) 424-9346

I already have a Hazardous Materials Business Plan (HMBP). Do I still need an SPCC Plan?

Yes. They are different plans and contain different information.

- An HMBP covers all hazardous materials and/or hazardous wastes (55+ gallons of a liquid, 200+ cubic feet of a gas, or 500+ lbs of a solid) and must be submitted on the CERS website yearly (<https://cers.calepa.ca.gov/>).
- An SPCC plan covers *petroleum products exclusively*. You will need to answer a few APSA-related questions on CERS, but should not upload your SPCC Plan.

Can I prepare an SPCC Plan myself?

Maybe. If you store 10,000 gallons or less of petroleum, you can self-certify your SPCC Plan under either a Tier 1 or Tier II Plan. If you store more than 10,000 gallons of petroleum, you must have a Professional Engineer certify your plan.

Where can I get help with preparing my own SPCC plan?

A very good resource for operators wishing to prepare their own SPCC plan can be found here:

http://www.sandiegocounty.gov/content/sdc/deh/hazmat/hmd_apsa/hmd_tier_1_template_course.html

Once I'm done with my SPCC plan, do I need to do anything else?

Yes. You will need to implement the plan and follow its guidelines. Make sure you are conducting and documenting all required trainings, inspections and testing as specified in your SPCC Plan. You'll also need to make any updates in a timely manner.

Can I use an old underground storage tank as an aboveground tank? Someone said they could get me a great price.

No. Underground storage tanks are only designed to be structurally sound *underground*. They may be unsafe if used as aboveground tanks. Aboveground tanks must be specifically certified as aboveground tanks or they cannot be used.

I still have a lot of questions! Who can I talk to?

For questions about APSA, call Fresno County's CUPA at (559) 600-3271 and ask to speak with an inspector or email us at HazMatCUPA@fresnocountyca.gov. For information on the Federal SPCC Rule, contact the US EPA at 1(800) 424-9346.