

By Alison Steele Mandadi, P.G.
with Helen I. Hodges, CHMM

Questions for SPCC Preparers



After almost 30 years with no substantial changes, the Spill Prevention, Control and Countermeasures (SPCC) Rule (40 CFR 112) was revised on July 17, 2002. Facilities with total above-ground oil storage greater than 1,320 gallons must prepare and implement a plan by Aug. 17, 2004.

Each SPCC plan must be certified by a licensed professional engineer, so preparation is often outsourced. Operators with limited time and expertise could have trouble confirming that they are getting a fair deal on an SPCC plan. Most small operators know how to procure services through bidding, but they may not be comfortable evaluating this type of contractor. A growing demand has led to the appearance of “preparers of opportunity,” some of whom lack sufficient training.

Operators can use the following questions to investigate a preparer’s credentials and service ethic.

1. How is the 2002 SPCC rule different from the original 1973 rule?

The answer will reveal how the preparer boils down information and translates jargon into plain language. Beware of preparers who try to dazzle with their regulatory brilliance as you neither require nor have time for unnecessary detail. Some preparers have been slow to change after 30 years.

2. If our facility’s construction does not meet the revised rule, how should we handle that?

The answer will reveal a preparer’s empathy for operational issues. A good preparer can apply principles and, from a quick description of your facility, be able to advise you regarding the simplest and cheapest means of complying with the spirit of the rule.

3. Can you describe your past SPCC experience?

Rather than showcasing the preparer, the answer should be able to assure you that a quality service tailored to your needs will be constructed. Beware of a preparer who exhibits a smug attitude or refers only to Fortune 500 clients. That preparer might be concerned with visibility and may not view a smaller operator as a priority.

4. What is the latest on SPCC litigation?

This question will evaluate the preparer’s extra-regulatory knowledge. As of press time, several provisions of the 2002 SPCC rule were being litigated by industry groups.

5. Are your SPCC plans guaranteed to pass an EPA inspection?

This question is designed to reveal whether or not the preparer is defensive. When it comes to the EPA, nobody can “guarantee” anything! But the preparer should demonstrate confidence regarding the possibility of a debate with an inspector. Some EPA regional offices are increasing the number of inspections they conduct and there are financial penalties for noncompliance, so this is an important skill.

6. How much money do you charge for an SPCC plan?

Market rates vary depending on the size of the facility, the geographic location, the preparer’s experience and economies of scale. Laws of supply and demand apply; the more contracts a preparer has in hand, the more he or she can afford to lose a bid or raise the quote. Operators should obtain a written proposal with a specific scope of work, fixed pricing and a delivery schedule.

With the Aug. 17 deadline fast approaching, prices are increasing but by asking these simple questions, an operator can choose a competent and fair SPCC preparer.

For more information, please call Alison Steele Mandadi, P.G. (asteele@sscienvironmental.com) or Helen I. Hodges (hhodges@sscienvironmental.com) at (800) 324-7724 or visit www.sscienvironmental.com.

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Editorial and sales offices
2401 West Big Beaver, Ste. 700, Troy, Michigan 48064
Phone: (248) 362-3700

Group Publisher Randy Green
(248) 244-6498
greenr@bnpmedia.com

Publisher Barb Olsen
(773) 589-2528
barb@pollutionengineering.com

Editorial

Editor Roy Bigham
(248) 244-6252
roy@pollutionengineering.com

Contributing Editors Barbara Quinn,
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Industry News Editor Rebecca Hennessy
(219) 934-9239
rhennessy@sbcglobal.net

Products Editor Seth Fisher
(248) 244-6248
fishers@bnpmedia.com

Art & Production

Art Director Shannon Nieman

Production Manager Karen Correll
(248) 244-6438
correllk@bnpmedia.com

Back Issues

Promotions Fulfillment Assistant Ann Kalb
(248) 244-6499
kalbr@bnpmedia.com

Market Research

Senior Project Manager Lisa Cooper
cooperl@bnpmedia.com

Sales

Midwest & West Coast Sales Manager Barb Olsen
(773) 589-2528
barb@pollutionengineering.com

East and South Regional Sales Manager Dawn LeRoux
(248) 244-6454
lerouxdl@bnpmedia.com

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or e-mail PE@halldata.com

Marketing/Reprints

Marketing Director Doug Siwek
(248) 244-6456
siwekd@bnpmedia.com

Editorial Reprints Jill DeVries
(248) 244-1726
devriesj@bnpmedia.com

Trade Show Coordinator Janet Mieszczyk
(248) 244-8257
mieszczykj@bnpmedia.com

Contact Info for List Rental Customers Lisa Slusher

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