

**New SPCC Rule Lessens Requirements for  
Non-Transportation Tanker Truck Secondary Containment**

EPA amended Rule 40 CFR 112.6 effective January 14, 2010, lessening secondary containment requirements for non-transportation-related tanker trucks. By EPA's definition, a "non-transportation tanker truck" is "a truck that makes petroleum deliveries during the day in intrastate or interstate commerce and then returns to the facility with product remaining in the tank and parked over night", or that which is "used to store (for short periods of time) and transport fuel, crude oil, condensate, non-petroleum, or other oils for transfer to or from bulk storage containers (i.e., a truck used to refill oil-filled equipment at an electrical substation or a pump truck at an oil production facility)".

The old version of the rule subjected tanker trucks used for transfer of petroleum products around a facility or from a central location to re-filling sites to SPCC requirements, including secondary containment requirements. For example, if a heating oil truck makes its deliveries within or away from a facility, returns to the facility, and parks overnight with a partly filled fuel tank, it was previously subject to the secondary requirements of the SPCC rule if it fell under the provisions of 40 CR 112. However, if the truck's fuel storage tank contains no oil when it is parked at the facility, other than any residual oil present in an emptied vehicle, it would be regulated only by DOT.

In summary, if your facility is subject to the requirements of 40 CFR 112, and you have non-transportation-related vehicles used at the facility or for off-site transport of fuel, crude oil, condensate, non-petroleum, or other oils to or from bulk storage containers:

- You only have to provide general (active) secondary containment measures (absorbents, pads, drip pan) for the trucks that are partially or completely filled with product when they are parked and not in use;
- Your response plan does not have to take into account a "catastrophic" release from the truck (the volume of the single-largest compartment of the vehicle), but rather the "most likely" release (the volume of fluids released from a leaky valve or hose);
- The general secondary containment requirement does not apply to parked vehicles that do not contain product.

Finally, an SPCC Plan is required at a facility if a tanker truck or transport truck is parked at the end of a delivery or transport day, even if the facility is not subject to the requirements of 40 CFR 112 related to total aboveground storage of petroleum. This plan would be very simple, and may be prepared using the template for Tier I and II Qualified facilities provided in Appendix G of 40 CFR 112.