Marine Transportation-Related Bulk Oil Facility Spill Prevention Regulations:

Marine Transportation-related (MTR) Bulk Oil Facility prevention regulations have been developed by the USCG to address each MTR fixed facility that is capable of transferring oil in bulk to or from a vessel with a capacity of 250 barrels or more. The regulations also apply to a mobile facility that is used, or intended to be used, to transfer oil to or from a vessel with a capacity of 250 barrels or more.

The regulations require that the facility prepare an Operations Manual. The Manual is a detailed facility-specific description of how a facility's operations comply with the pollution prevention guidelines in the regulations. These guidelines address hose assemblies, loading arms, closure devices, monitoring devices, small discharge containment, discharge containment, person-in-charge requirements, emergency shutdown, communications, lighting, and safety requirements.

Facility Response Planning:

OPA 90 created new requirements under the Clean Water Act that include the development of a Facility Response Plan (FRP) by the owner or operator of certain facilities. EPA has jurisdiction over FRPs for non-transportation–related on shore facilities and requires plans from facilities that, due to their location, can reasonably be expected to cause substantial harm to the environment by a discharge of oil into navigable waters, adjoining shorelines, or the exclusive economic zone. FRPs describe how a facility will respond to a worst case discharge of oil. Likewise, the USCG has jurisdiction over FRPs for marine transportation–related on shore and off shore facilities and requires plans from facilities that, can reasonably be expected to cause substantial harm to the environment by a discharge of oil into navigable waters, adjoining shorelines, or the exclusive economic zone. FRPs describe how a facility will respond to a worst case, maximum most probable, and average most probable discharge of oil.

Oil or Chemical Spill Notification
call the National Response Center at
800-424-8802

Oil Spill Response
in the Region IV Coastal Zone,
contact the U.S. Coast Guard
Marine Safety Office (MSO):

MSO Wilmington, NC
910-792-8408

MSO Charleston, SC
843-724-7616

MSO Savannah, GA
912-652-4353

MSO Jacksonville, FL
904-247-7310

MSO Miami, FL
305-732-0160

MSO Tampa, FL
813-228-2189

MSO Mobile, AL
334-441-5121

In the Region IV Inland Zone,
contact the U.S. Environmental
Protection Agency:
404-562-8700

Inland Zone U.S. Coast Guard Offices are:

MSO Huntington, WV
800-253-7465

MSO Louisville, KY
800-253-7465

MSO Paducah, KY
502-442-1621

MSO Memphis, TN
901-544-3912

State Pollution Response Contacts are:

North Carolina
919-733-3867

South Carolina
888-481-0125

Georgia
404-656-4300

Florida
850-413-9911

Alabama
334-242-4378

Mississippi
601-352-9100

Tennessee
800-258-3300

Kentucky
800-928-2380

Oil Spill Prevention, Control, & Countermeasure Regulations

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U.S. Coast Guard 305-536-5651
U.S. EPA 404-562-8721

Pollution Regulation History:

The Federal Water Pollution Control Act or Clean Water Act marked a milestone in addressing the problems of oil pollution by mandating regulations for the prevention of oil spills into navigable waters of the U.S. The federal oil pollution prevention regulations were promulgated on December 11, 1973 and came to be known as the Spill Prevention, Control, and Countermeasures (SPCC) regulations. They provided a basic framework for operational procedures, containment requirements and response needs of certain facilities that have the potential to discharge oil into navigable waters of the U.S. or adjoining shorelines.

Despite the implementation of the SPCC regulations and other federal prevention regulations, the U.S. experienced increasing problems with oil spills in the 1970s and 1980s, most notably, the oil release from the tankship EXXON VALDEZ in Alaska's Prince William Sound in 1989. In response to this and other major oil spills, Congress enacted the Oil Pollution Act of 1990 (OPA 90). The goals of OPA are to expend planning and spill prevention activities, to improve preparedness and response capabilities, to ensure that responsible parties pay for cleanups, and establish a research and development program.

Under OPA 90, tank vessels, offshore oil facilities, and certain on shore facilities are required to submit Facility Response Plans (FRPs) designed to ensure that sufficient personnel and equipment are available to respond to and mitigate a worst-case discharge. FRPs focus on response activities and must be consistent with other statutes and regulations, including SARA Title III and the National Oil and Hazardous Substances Contingency Plan (NCP).

Federal Jurisdiction:

On November 24, 1971, the President signed Executive Order 11735 delegating the authority to regulate non-transportation-related onshore and offshore facilities to the EPA. This same Order delegated the authority to regulate transportation-related onshore and offshore facilities to the U.S. Coast Guard (USCG).

On October 18, 1991, Executive Order 12777 further delineated the authority to regulate facilities managing oil. This distribution of regulatory authority is what is currently in place today. In general, EPA is responsible for oil spill prevention activities associated with non-transportation-related onshore facilities. This term includes the regulation of all fixed facilities, including support equipment, but excludes interstate pipelines, railroad tank cars en route, transport trucks en route, and terminals associated with the transfer of bulk oil to or from a water transportation vessel.

The term non-transportation-related also includes mobile or portable facilities, such as on shore drilling or work-over rigs, when they are in a fixed, operable mode. The Order required the USCG to develop response plan requirements for marine transportation-related facilities. In addition, the Research and Special Programs Administration (RSPA), Office of Pipeline Safety, was to require response plans for applicable onshore transportation-related facilities.

A transportation-related facility is defined as any facility that transfers and transports oil beyond the boundaries of a facility. The Order delegated the responsibility for oil spill planning and response for off-shore fixed facilities beyond the coastline to the Department of Interior (DOI) and required the National Oceanic and Atmospheric Administration (NOAA) to develop regulations for natural resource trustees to assess damages to natural resources caused by oil discharges.

EPA has promulgated oil spill prevention and preparedness regulations (SPCC regulations) for onshore and offshore non-transportation-related facilities. Additionally, EPA promulgated facility oil spill response regulations (FRP) regulations for onshore non-transportation-related facilities.

What are the Spill Prevention Control and Countermeasures (SPCC) Regulations?

The Oil Pollution Prevention regulation, also known as the Spill Prevention, Control, and Countermeasures (SPCC) regulation, was promulgated on December 11, 1973, under the CWA.. The regulation established spill prevention procedures, methods, and equipment requirements for non-transportation-related facilities with aboveground oil storage capacity greater than 1,320 gallons (or greater than 660 gallons aboveground capacity in a single tank), or buried underground oil storage capacity greater than 42,000 gallons. Regulated facilities are also limited to those that because of their location could reasonably be expected to discharge oil into the navigable waters of the U.S.

The regulation requires that all regulated facilities have a fully prepared and implemented SPCC Plan which must be certified by a registered professional engineer. The plan is a detailed facility-specific description of how a facility's operations comply with the pollution prevention guidelines in the regulations. These guidelines include such measures as secondary containment, facility drainage, dikes or barriers, sump and collection systems, retention ponds, curbing, tank corrosion protection systems, and liquid level devices.