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# EPA SPCC Inspection Sweep: Ray Wieda, P.E., (Olsson) Arkansas Environmental Federation Convention Presentation

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Ray Wieda, P.E., of Olsson, undertook a presentation on October 8th at the Arkansas Environmental Federation Convention titled:

*EPA SPCC Inspection Sweep ("Presentation").*

Mr. Wieda is a Senior Engineer/Environmental at Olsson in their Little Rock, Arkansas office.

The Presentation dealt in part with an incident in Roseland, Louisiana involving aboveground storage tanks ("ASTs") in 2022.

The facility described is stated to have 265 ASTs with an aggregate storage capacity of 11 million gallons and had a Tier I Spill Prevention Control and Countermeasure ("SPCC") plan.

The Presentation described the release of oil and the related environmental impacts. Further, it addressed the United States Environmental Protection Agency ("EPA") inspection and subsequent issues identified. This included EPA and State of Louisiana enforcement actions related to the release.

The Presentation noted that EPA Region 6 SPCC Enforcement Sweep targets have included:

- Bulk petroleum plants.
- Fuel terminals.
- Independent petroleum marketers.
- Industrial sites with large ASTs.

The Presentation then addressed the question:

"Do you need an SPCC Plan?"

By way of background, note that originally published in 1973 under Section 311 of the Clean Water Act, the Oil Pollution Prevention Regulations sets forth requirements for:

- The prevention for, and response to oil discharges at specific non-transportation-related facilities.

The SPCC regulations (40 CFR 112) are mandated by EPA to prevent oil from reaching oceans and adjoining shorelines. It applies to owners and operators of non-transportation-related onshore and offshore facilities that have potential to discharge harmful quantities of oil into navigable waters and adjoining shorelines.

The term “navigable waters” means the Waters of the United States and territorial seas. Petroleum oils are classified as oil of any kind or any form, including but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with waste other than dredged spoil. Non-petroleum oils include, and are not limited to, fats, oils, or greases of animals, fish, or marine mammal origin, vegetable oils from fruits, seeds, kernels, or nuts. Synthetic oils are covered by SPCC regulations and are formed through the process of chemical synthesis.

An SPCC Plan is required for a facility storing oil with an aggregate storage capacity greater than 1,320 gallons and containers greater than 55 gallons. Further, this includes an aggregate underground oil storage exceeding 42,000 gallons.

Mr. Wieda’s Presentation addressed types of SPCC Plans, which include:

- Tier I Plan.
- Tier II Plan.
- Tier III Plan .

The Presentation addressed keeping SPCC Plans current through:

- Administrative amendments.
- Technical amendments.

This included a discussion of:

- Administrative requirements.
- Technical requirements.
- Site map.
- Oil storage inventory.
- Secondary containment.
- Spill control and countermeasures.
- Inspections.
- Periodic inspections.
- External/internal inspections and leak testing.

The Presentation also addressed non-destructive testing.

Other requirements were addressed such as:

- Personnel training.
- Security.
- Evaluating substantial harm potential.

Substantial harm criteria are noted to include:

- Oil storage capacity of 42,000 gallons or more and conduct over-water transfers.
- Oil storage capacity over one million gallons AND:
- Could cause injury to fish and wildlife and sensitive environments, OR
- Threaten public drinking water intake, OR
- Reportable oil discharge of 10,000 gallons or more in last 5 years.

The Presentation discussed facility response plans, which include:

- Emergency Response Action Plan.
- Hazard & Scenario Analysis.
- Drills and Training.
- Coordination with Emergency Responders.
- Reviewed by EPA.

Note that the Energy Marketers of America (“EMA”) issued a Regulatory Alert a few months ago stating that EPA Region 6 had conducted an SPCC Enforcement Sweep, which included the states of:

- Arkansas.
- Louisiana.
- New Mexico.
- Oklahoma.
- Texas.

EMA’s Regulatory Alert stated that the initiative:

... involves announced and unannounced inspections, document requests under the Clean Water Act, and accelerated civil penalty referrals. Petroleum marketers with facilities subject to SPCC anywhere in EPA Region 6 should expect heightened scrutiny in the coming weeks and months.

The publication further stated that the enforcement sweep is understood to be EPA’s response to public criticism following the August 2025 explosion and fire at the Smitty’s Supply facility in Roseland, Louisiana. It notes that the incident prompted evacuations and caused significant surface-water impacts, and:

... focused attention on perceived gaps in federal oversight of bulk petroleum storage operations.

A copy of Ray Wieda’s Presentation slides can be found [here](#).