

Should I File an SPCC Plan in CERS?

Should I file a Spill Prevention Control and Countermeasure (SPCC) Plan in CERS?

Answer: No. The Aboveground Petroleum Storage Act (APSA) requires a SPCC Plan to be prepared and implemented by the owner or operator of each tank facility (Health and Safety Code, Division 20, Chapter 6.67, Section 25270.4.5). In implementing the APSA program, local Certified Unified Program Agencies (CUPAs) are required to review SPCC Plans and ensure that such plans have been prepared and implemented in compliance with APSA and the federal SPCC requirements (Code of Federal Regulations, Title 40, Part 112). Therefore, SPCC Plans are required to be provided to the CUPA upon request. However, SPCC Plans are not required to be uploaded into CERS. In fact, SPCC plans should not be uploaded into CERS as they are likely to contain confidential information pertaining to the regulated facility. Once an SPCC Plan has been submitted or uploaded into CERS and accepted by a CUPA, it cannot be removed from CERS as it is a part of a legal submittal.

Facilities subject to APSA shall keep a copy of the SPCC plan onsite if the facility is normally attended at least four hours per day or at the nearest field office if the facility is not so attended. More information regarding uploading documentation regarding the Aboveground Petroleum Storage Act is available on the CERS Business portal. For additional information please contact your CUPA.