U.S. ENVIRONMENTAL PROTECTION AGENCY
SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST

ONSHORE FACILITIES (EXCLUDING OIL DRILLING, PRODUCTION AND WORKOVER)

Overview of the Checklist

This checklist is designed to assist EPA inspectors in conducting a thorough and nationally consistent inspection of a facility's compliance with the Spill Prevention, Control, and Countermeasure (SPCC) rule at 40 CFR part 112. It is a required tool to help federal inspectors (or their contractors) record observations for the site inspection and review of the SPCC Plan. While the checklist is meant to be comprehensive, the inspector should always refer to the SPCC rule in its entirety, the SPCC Regional Inspector Guidance Document, and other relevant guidance for evaluating compliance. This checklist must be completed in order for an inspection to count toward an agency measure (i.e., OEM inspection measures or GPRA). The completed checklist and supporting documentation (i.e. photo logs or additional notes) serve as the inspection report.

This checklist addresses requirements for onshore facilities including Tier II Qualified Facilities (excluding facilities involved in oil drilling, production and workover activities) that meet the eligibility criteria set forth in §112.3(g)(2).

Separate standalone checklists address requirements for:
Onshore oil drilling, production, and workover facilities including Tier II Qualified Facilities as defined in §112.3(g)(2);
Offshore drilling, production and workover facilities; and
Tier I Qualified Facilities (for facilities that meet the eligibility criteria defined in §112.3(g)(1))

Qualified facilities must meet the rule requirements in §112.6 and other applicable sections specified in §112.6, except for deviations that provide environmental equivalence and secondary containment impracticability determinations as allowed under §112.6.

The checklist is organized according to the SPCC rule. Each item in the checklist identifies the relevant section and paragraph in 40 CFR part 112 where that requirement is stated.

- Sections 112.1 through 112.5 specify the applicability of the rule and requirements for the preparation, implementation, and amendment of SPCC Plans. For these sections, the checklist includes data fields to be completed, as well as several questions with "yes," "no" or "NA" answers.
- Section 112.6 includes requirements for qualified facilities. These provisions are addressed in Attachment D.
- Section 112.7 includes general requirements that apply to all facilities (unless otherwise excluded).
- Sections 112.8 and 112.12 specify requirements for spill prevention, control, and countermeasures for onshore facilities (excluding production facilities).

The inspector needs to evaluate whether the requirement is addressed adequately or inadequately in the SPCC Plan and whether it is implemented adequately in the field (either by field observation or record review). For the SPCC Plan and implementation in the field, if a requirement is addressed adequately, mark the "Yes" box in the appropriate column. If a requirement is not addressed adequately, mark the "No" box. If a requirement does not apply to the particular facility or the question asked is not appropriate for the facility, mark as "NA". Discrepancies or descriptions of inspector interpretation of "No" vs. "NA" may be documented in the comments box subsequent to each section. If a provision of the rule applies only to the SPCC Plan, the "Field" column is shaded.

Space is provided throughout the checklist to record comments. Additional space is available as Attachment E at the end of the checklist. Comments should remain factual and support the evaluation of compliance.

Attachments

- Attachment A is for recording information about containers and other locations at the facility that require secondary containment.
- Attachment B is a checklist for documentation of the tests and inspections the facility operator is required to keep with the SPCC Plan.
- Attachment C is a checklist for oil spill contingency plans following 40 CFR 109. Unless a facility has submitted a Facility Response Plan (FRP) under 40 CFR 112.20, a contingency plan following 40 CFR 109 is required if a facility determines that secondary containment is impracticable as provided in 40 CFR 112.7(d). The same requirement for an oil spill contingency plan applies to the owner or operator of a facility with qualified oil-filled operational equipment that chooses to implement alternative requirements instead of general secondary containment requirements as provided in 40 CFR 112.7(k).
- Attachment D is a checklist for Tier II Qualified Facilities.
- Attachment E is for recording additional comments or notes.
- Attachment F is for recording information about photos.

FACILITY INFORMATION			
FACILITY NAME: Jackson and Son Oil			
LATITUDE: 45.94155	LONGITUDE: -123.92150	GPS DATUM: WGS1984	
Section/Township/Range: n/a	FRS#/OIL DATABASE ID: R10-OR-00187	ICIS#: TBD	
ADDRESS: 84721 Happel Lane			
CITY: Seaside	STATE: OR	ZIP: 97138	COUNTY: Clatsop
MAILING ADDRESS (IF DIFFERENT FROM FACILITY ADDRESS – IF NOT, PRINT "SAME"): SAME			
CITY: SAME	STATE: SAME	ZIP: SAME	COUNTY: SAME
TELEPHONE: (503) 738-5833	FACILITY CONTACT NAME/TITLE: Casey Jackson, Owner and Manager		
OWNER NAME: Casey Jackson, Owner and Manager			
OWNER ADDRESS: 84721 Happel Lane			
CITY: Seaside	STATE: OR	ZIP: 97138	COUNTY: Clatsop
TELEPHONE: (503) 738-5833	FAX: n/a	EMAIL: jacksonoil@seasurf.net	
FACILITY OPERATOR NAME (IF DIFFERENT FROM OWNER – IF NOT, PRINT "SAME"): SAME			
OPERATOR ADDRESS: SAME			
CITY: SAME	STATE: SAME	ZIP: SAME	COUNTY: SAME
TELEPHONE: SAME	OPERATOR CONTACT NAME/TITLE: SAME		
FACILITY TYPE: Cardlock and oil terminal		NAICS CODE: 424710	
HOURS PER DAY FACILITY ATTENDED: 10 (Monday-Friday)	TOTAL FACILITY CAPACITY: 107,500 gallons		
TYPE(S) OF OIL STORED: diesel, gasoline, gear oil, lube oil, heating oil			
LOCATED IN INDIAN COUNTRY? ☐ YES ☑ NO RESERVATION NAME: n/a			
INSPECTION/PLAN REVIEW INFORMATION			
PLAN REVIEW DATE: Sep. 21 2021	REVIEWER NAME: OSC Richard Franklin		
INSPECTION DATE: Sep. 21, 2021	TIME: 10:00 AM	ACTIVITY ID NO: SPCC-OR-2021-00007	
LEAD INSPECTOR: OSC Richard Franklin			
OTHER INSPECTOR(S): Cassidy Owen (contractor)			
INSPECTION ACKNOWLEDGMENT			
I performed an SPCC inspection at the facility specified above.			
INSPECTOR SIGNATURE: Richard Franklin		DATE: 01/18/2022	
SUPERVISOR REVIEW/SIGNATURE:		DATE:	

SPCC GENERAL APPLICABILITY—40 CFR 112.1

IS THE FACILITY REGULATED UNDER 40 CFR part 112?

The completely buried oil storage capacity is over 42,000 U.S. gallons, **OR** the aggregate aboveground oil storage capacity is over 1,320 U.S. gallons **AND** ☑ Yes ☐ No

The facility is a non-transportation-related facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location could reasonably be expected to discharge oil into or upon the navigable waters of the United States ☑ Yes ☐ No

AFFECTED WATERWAY(S): Circle Creek & Necanicum River

DISTANCE: 400' ? - 1,000'

FLOW PATH TO WATERWAY:

Distance to Waterway: As shown in 1991 by Mittelhauser report, is < 400 feet to drainage ditch/Circle Creek (refer to Exhibit 1 and 2). Other potential pathways exist - Refer to additional comments in Attachment E of this report.

Note: The following storage capacity is not considered in determining applicability of SPCC requirements:

- *Equipment subject to the authority of the U.S. Department of Transportation, U.S. Department of the Interior, or Minerals Management Service, as defined in Memoranda of Understanding dated November 24, 1971, and November 8, 1993; Tank trucks that return to an otherwise regulated facility that contain only residual amounts of oil (EPA Policy letter)*
- *Completely buried tanks subject to all the technical requirements of 40 CFR part 280 or a state program approved under 40 CFR part 281;*
- *Underground oil storage tanks deferred under 40 CFR part 280 that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission (NRC) and subject to any NRC provision regarding design and quality criteria, including but not limited to CFR part 50;*
- *Any facility or part thereof used exclusively for wastewater treatment (production, recovery or recycling of oil is not considered wastewater treatment); (This does not include other oil containers located at a wastewater treatment facility, such as generator tanks or transformers)*
- *Containers smaller than 55 U.S. gallons;*
- *Permanently closed containers (as defined in §112.2);*
- *Motive power containers(as defined in §112.2);*
- *Hot-mix asphalt or any hot-mix asphalt containers;*
- *Heating oil containers used solely at a single-family residence;*
- *Pesticide application equipment and related mix containers;*
- *Any milk and milk product container and associated piping and appurtenances; and*
- *Intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195.*

Does the facility have an SPCC Plan? ☐ Yes ☑ No

FACILITY RESPONSE PLAN (FRP) APPLICABILITY—40 CFR 112.20(f)

A non-transportation related onshore facility is required to prepare and implement an FRP as outlined in 40 CFR 112.20 if:

- ☐ The facility transfers oil over water to or from vessels and has a total oil storage capacity greater than or equal to 42,000 U.S. gallons, **OR**
- ☐ The facility has a total oil storage capacity of at least 1 million U.S. gallons, **AND** at least one of the following is true:
  - ☐ The facility does not have secondary containment sufficiently large to contain the capacity of the largest aboveground tank plus sufficient freeboard for precipitation.
  - ☐ The facility is located at a distance such that a discharge could cause injury to fish and wildlife and sensitive environments.
  - ☐ The facility is located such that a discharge would shut down a public drinking water intake.
  - ☐ The facility has had a reportable discharge greater than or equal to 10,000 U.S. gallons in the past 5 years.

Facility has FRP: ☐ Yes ☐ No ☑ NA

FRP Number: n/a

Facility has a completed and signed copy of Appendix C, Attachment C-II, "Certification of the Applicability of the Substantial Harm Criteria." ☐ Yes ☑ No

Comments:

#1 112.1(b) Deficiency, Plan: The facility has an aggregate aboveground storage capacity exceeding 1,320 gallons of oil and is a non-transportation-related facility engaged in storing and distributing oil. Observations made during the inspection indicate that, due to the facility's location, it could reasonably be expected to discharge oil into or upon the navigable waters of the United States. However, at the time of the inspection the facility had not developed an SPCC Plan.

#2 112.1(b)(3) Comment, Field: Refer to additional comments in Attachment E of this report.

SPCC TIER II QUALIFIED FACILITY APPLICABILITY—40 CFR 112.3(g)(2)

The aggregate aboveground oil storage capacity is 10,000 U.S. gallons or less **AND**	☐ Yes ☑ No
In the three years prior to the SPCC Plan self-certification date, or since becoming subject to the rule (if the facility has been in operation for less than three years), the facility has **NOT** had:	
• A single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons, **OR**	☐ Yes ☑ No
• Two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve-month period[1]	☐ Yes ☑ No

IF ***YES*** TO ALL OF THE ABOVE, THEN THE FACILITY IS A TIER II QUALIFIED FACILITY[2]
SEE ATTACHMENT D FOR TIER II QUALIFIED FACILITY CHECKLIST

REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION OF A SPCC PLAN—40 CFR 112.3

Date facility began operations: 1984

Date of initial SPCC Plan preparation: n/a | Current Plan version (date/number): n/a

112.3(a)	**For facilities (except farms), including mobile or portable facilities:**	
	• In operation on or prior to November 10, 2011: Plan prepared and/or amended and fully implemented by **November 10, 2011**	☐ Yes ☑ No ☐ NA
	• Beginning operations after November 10, 2011, Plan prepared and fully implemented before beginning operations	☐ Yes ☐ No ☑ NA
	For farms (as defined in §112.2):	
	• In operation on or prior to August 16, 2002: Plan maintained, amended and implemented by **May 10, 2013**	☐ Yes ☐ No ☑ NA
	• Beginning operations after August 16, 2002 through May 10, 2013: Plan prepared and fully implemented by **May 10, 2013**	☐ Yes ☐ No ☑ NA
	• Beginning operations after May 10, 2013: Plan prepared and fully implemented before beginning operations	☐ Yes ☐ No ☑ NA
112.3(d)	Plan is certified by a registered Professional Engineer (PE) and includes statements that the PE attests:	☐ Yes ☑ No ☐ NA
	• PE is familiar with the requirements of 40 CFR part 112	☐ Yes ☑ No ☐ NA
	• PE or agent has visited and examined the facility	☐ Yes ☑ No ☐ NA
	• Plan is prepared in accordance with good engineering practice including consideration of applicable industry standards and the requirements of 40 CFR part 112	☐ Yes ☑ No ☐ NA
	• Procedures for required inspections and testing have been established	☐ Yes ☑ No ☐ NA
	• Plan is adequate for the facility	☐ Yes ☑ No ☐ NA

PE Name: n/a | License No.: n/a | State: n/a | Date of certification: n/a

112.3(e)(1)	Plan is available onsite if attended at least 4 hours per day. If facility is unattended, Plan is available at the nearest field office. *(Please note nearest field office contact information in comments section below.)*	☐ Yes ☑ No ☐ NA

Comments:

[1] Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

[2] An owner/operator who self-certifies a Tier II SPCC Plan may include environmentally equivalent alternatives and/or secondary containment impracticability determinations when reviewed and certified by a PE.

AMENDMENT OF SPCC PLAN BY REGIONAL ADMINISTRATOR (RA)—40 CFR 112.4		
112.4(a),(c)	Has the facility discharged more than 1,000 U.S. gallons of oil in a single reportable discharge or more than 42 U.S. gallons in each of two reportable discharges in any 12-month period?[3]	☐ Yes ☑ No
If **YES**	• Was information submitted to the RA as required in §112.4(a)?[4]	☐ Yes ☐ No ☑ NA
	• Was information submitted to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located§112.4(c)	☐ Yes ☐ No ☑ NA
	• Date(s) and volume(s) of reportable discharges(s) under this section:	
	• Were the discharges reported to the NRC[5]?	☐ Yes ☐ No
112.4(d),(e)	Have changes required by the RA been implemented in the Plan and/or facility?	☐ Yes ☐ No ☑ NA
Comments:		

AMENDMENT OF SPCC PLAN BY THE OWNER OR OPERATOR—40 CFR 112.5		
112.5(a)	Has there been a change at the facility that materially affects the potential for a discharge described in §112.1(b)?	☐ Yes ☑ No
If **YES**	• Was the Plan amended within six months of the change?	☐ Yes ☐ No
	• Were amendments implemented within six months of any Plan amendment?	☐ Yes ☐ No
112.5(b)	Review and evaluation of the Plan completed at least once every 5 years?	☐ Yes ☑ No ☐ NA
	Following Plan review, was Plan amended within six months to include more effective prevention and control technology that has been field-proven to significantly reduce the likelihood of a discharge described in §112.1(b)?	☐ Yes ☑ No ☐ NA
	Amendments implemented within six months of any Plan amendment?	☐ Yes ☑ No ☐ NA
	Five year Plan review and evaluation documented?	☐ Yes ☑ No ☐ NA
112.5(c)	Professional Engineer certification of any technical Plan amendments in accordance with all applicable requirements of §112.3(d) *[Except for self-certified Plans]*	☐ Yes ☑ No ☐ NA

Name: n/a	License No.: n/a	State: n/a	Date of certification: n/a

Reason for amendment:

Comments:

[3] A reportable discharge is a discharge as described in §112.1(b)(see 40 CFR part 110). The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

[4] Triggering this threshold may disqualify the facility from meeting the Qualified Facility criteria if it occurred in the three years prior to self certification

[5] Inspector Note-Confirm any spills identified above were reported to NRC

GENERAL SPCC REQUIREMENTS—40 CFR 112.7		PLAN	FIELD
Management approval at a level of authority to commit the necessary resources to fully implement the Plan[6]		☐ Yes ☑ No	
Plan follows sequence of the rule or is an equivalent Plan meeting all applicable rule requirements and includes a cross-reference of provisions		☐ Yes ☑ No ☐ NA	
If Plan calls for facilities, procedures, methods, or equipment not yet fully operational, details of their installation and start-up are discussed *(Note: Relevant for inspection evaluation and testing baselines.)*		☐ Yes ☑ No ☐ NA	
112.7(a)(2)	The Plan includes deviations from the requirements of §§112.7(g), (h)(2) and (3), and (i) and applicable subparts B and C of the rule, except the secondary containment requirements in §§112.7(c) and (h)(1), 112.8(c)(2),112.8(c)(11), 112.12(c)(2), and 112.12(c)(11)	☐ Yes ☑ No ☐ NA	
If **YES**	• The Plan states reasons for nonconformance	☐ Yes ☑ No ☐ NA	
	• Alternative measures described in detail and provide equivalent environmental protection *(Note: Inspector should document if the environmental equivalence is implemented in the field, in accordance with the Plan's description)*	☐ Yes ☑ No ☐ NA	☐ Yes ☐ No ☑ NA

Describe each deviation and reasons for nonconformance:

[6] May be part of the Plan or demonstrated elsewhere.

		PLAN	FIELD
112.7(a)(3)	Plan describes physical layout of facility and includes a diagram[7] that identifies: • Location and contents of all regulated fixed oil storage containers • Storage areas where mobile or portable containers are located • Completely buried tanks otherwise exempt from the SPCC requirements (marked as "exempt") • Transfer stations • Connecting pipes, including intra-facility gathering lines that are otherwise exempt from the requirements of this part under §112.1(d)(11)	☐ Yes ☑ No	☐ Yes ☑ No
	Plan addresses each of the following:		
(i)	For each fixed container, type of oil and storage capacity (see Attachment A of this checklist). For mobile or portable containers, type of oil and storage capacity for each container or an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities	☐ Yes ☑ No	☐ Yes ☑ No
(ii)	Discharge prevention measures, including procedures for routine handling of products (loading, unloading, and facility transfers, etc.)	☐ Yes ☑ No	☐ Yes ☑ No
(iii)	Discharge or drainage controls, such as secondary containment around containers, and other structures, equipment, and procedures for the control of a discharge	☐ Yes ☑ No	☐ Yes ☑ No
(iv)	Countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources)	☐ Yes ☑ No	☐ Yes ☑ No
(v)	Methods of disposal of recovered materials in accordance with applicable legal requirements	☐ Yes ☑ No	
(vi)	Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with an agreement for response, and all Federal, State, and local agencies who must be contacted in the case of a discharge as described in §112.1(b)	☐ Yes ☑ No	
112.7(a)(4)	***Does not apply if the facility has submitted an FRP under §112.20:*** ☐ Yes ☑ No ☐ NA Plan includes information and procedures that enable a person reporting an oil discharge as described in §112.1(b) to relate information on the: • Exact address or location and phone number of the facility; • Date and time of the discharge; • Type of material discharged; • Estimates of the total quantity discharged; • Estimates of the quantity discharged as described in §112.1(b); • Source of the discharge; • Description of all affected media; • Cause of the discharge; • Damages or injuries caused by the discharge; • Actions being used to stop, remove, and mitigate the effects of the discharge; • Whether an evacuation may be needed; and • Names of individuals and/or organizations who have also been contacted.		
112.7(a)(5)	***Does not apply if the facility has submitted a FRP under §112.20:*** Plan organized so that portions describing procedures to be used when a discharge occurs will be readily usable in an emergency	☐ Yes ☑ No ☐ NA	
112.7(b)	Plan includes a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure	☐ Yes ☑ No ☐ NA	
Comments:			

[7] Note in comments any discrepancies between the facility diagram, the description of the physical layout of facility, and what is observed in the field

		PLAN	FIELD
112.7(c)	Appropriate containment and/or diversionary structures or equipment are provided to prevent a discharge as described in §112.1(b), **except as provided in §112.7(k) of this section for certain qualified operational equipment**. The entire containment system, including walls and floors, are capable of containing oil and are constructed to prevent escape of a discharge from the containment system before cleanup occurs. The method, design, and capacity for secondary containment address the typical failure mode and the most likely quantity of oil that would be discharged. See Attachment A of this checklist. **For onshore facilities**, one of the following or its equivalent: • Dikes, berms, or retaining walls sufficiently impervious to contain oil; • Curbing or drip pans; • Sumps and collection systems; • Culverting, gutters or other drainage systems; • Weirs, booms or other barriers; • Spill diversion pond; • Retention ponds; or • Sorbent materials.		
	Identify which of the following are present at the facility and if appropriate containment and/or diversionary structures or equipment are provided as described above:		
	☑ Bulk storage containers	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	☑ Mobile/portable containers	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
	☐ Oil-filled operational equipment (as defined in 112.2)	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	☐ Other oil-filled equipment (i.e., manufacturing equipment)	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	☑ Piping and related appurtenances	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
	☐ Mobile refuelers or non-transportation-related tank cars	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	☑ Transfer areas, equipment and activities	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	☐ Identify any other equipment or activities that are not listed above:	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
112.7(d)	Secondary containment for one (or more) of the following provisions is determined to be impracticable: ☐ General secondary containment §112.7(c) ☐ Bulk storage containers §§112.8(c)(2)/112.12(c)(2) ☐ Loading/unloading rack §112.7(h)(1) ☐ Mobile/portable containers§§112.8(c)(11)/ 112.12(c)(11)	☐ Yes ☑ No	
If **YES**	• The impracticability of secondary containment is clearly demonstrated and described in the Plan	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	• For bulk storage containers,[8] periodic integrity testing of containers and integrity and leak testing of the associated valves and piping is conducted	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	(Does not apply if the facility has submitted a FRP under §112.20): • Contingency Plan following the provisions of 40 CFR part 109 is provided (see Attachment C of this checklist) **AND**	☐ Yes ☐ No ☑ NA	
	• Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA

Comments:

#3 112.7(c) Bulk Storage Containers Deficiency, Field: Refer to additional comments in Attachment E of this report.

#4 112.7(c) Transfer Areas, Equipment, and Activities Deficiency, Field: Refer to additional comments in Attachment E of this report.

[8] These additional requirements apply only to bulk storage containers, when an impracticability determination has been made by the PE

		PLAN	FIELD
112.7(e)	Inspections and tests conducted in accordance with written procedures	☐ Yes ☑ No	☐ Yes ☑ No
	Record of inspections or tests signed by supervisor or inspector	☐ Yes ☑ No	☐ Yes ☑ No
	Kept with Plan for at least 3 years (see Attachment B of this checklist)[9]	☐ Yes ☑ No	☐ Yes ☑ No
112.7(f)	Personnel, training, and oil discharge prevention procedures		
(1)	Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and contents of SPCC Plan	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(2)	Person designated as accountable for discharge prevention at the facility and reports to facility management	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(3)	Discharge prevention briefings conducted at least once a year for oil handling personnel to assure adequate understanding of the Plan. Briefings highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
112.7(g)	Plan describes how to: • Secure and control access to the oil handling, processing and storage areas; • Secure master flow and drain valves; • Prevent unauthorized access to starter controls on oil pumps; • Secure out-of-service and loading/unloading connections of oil pipelines; and • Address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
112.7(h)	Tank car and tank truck loading/unloading rack[10] is present at the facility *Loading/unloading rack* means a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility subject to the requirements of this part. A loading/unloading rack includes a loading or unloading arm, and may include any combination of the following: piping assemblages, valves, pumps, shut-off devices, overfill sensors, or personnel safety devices.		☑ Yes ☐ No
If **YES** (1)	Does loading/unloading rack drainage flow to catchment basin or treatment facility designed to handle discharges or use a quick drainage system?	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	Containment system holds at least the maximum capacity of the largest single compartment of a tank car/truck loaded/unloaded at the facility	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(2)	An interlocked warning light or physical barriers, warning signs, wheel chocks, or vehicle brake interlock system in the area adjacent to the **loading or unloading rack** to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(3)	Lower-most drains and all outlets on tank cars/trucks inspected prior to filling/departure, and, if necessary ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA

Comments:

#5 112.7(e) Deficiency, Field: The facility did not maintain documentation of inspections, tests, or a written procedure as required by 112.7(e).
#6 112.7(f) Deficiency, Field: The facility did not maintain documentation of training that referenced the SPCC Rule as required by 112.7(f).
#7 112.7(h)(1) Deficiency, Field: Refer to Observation #4 in Attachment E of this report for additional details.
#8 112.7(h)(2) Deficiency, Field: The EPA Inspection Team did not observe a brake interlock system, physical barriers, warning signs, or wheel chocks at the loading rack (refer to Photographs 14 and 15).
#9 112.7(h)(3) Deficiency, Field: Refer to additional comments in Attachment E of this report.

[9] Records of inspections and tests kept under usual and customary business practices will suffice
[10] Note that a tank car/truck loading/unloading rack must be present for §112.7(h) to apply

		PLAN	FIELD
112.7(i)	Brittle fracture evaluation of field-constructed aboveground containers is conducted after tank repair, alteration, reconstruction, or change in service that might affect the risk of a discharge or after a discharge/failure due to brittle fracture or other catastrophe, and appropriate action taken as necessary (applies to only field-constructed aboveground containers)	☐ Yes ☑ No ☐ NA	☐ Yes ☐ No ☑ NA
112.7(j)	Discussion of conformance with applicable more stringent State rules, regulations, and guidelines and other effective discharge prevention and containment procedures listed in 40 CFR part 112	☐ Yes ☑ No ☐ NA	
112.7(k)	Qualified oil-filled operational equipment is present at the facility[11] *Oil-filled operational equipment* means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (e.g. , those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.		☐ Yes ☑ No
If **YES**	Check which apply: Secondary Containment provided in accordance with 112.7(c) ☐ Alternative measure described below (confirm eligibility) ☐		
112.7(k)	Qualified Oil-Filled Operational Equipment • Has a single reportable discharge as described in §112.1(b) from any oil-filled operational equipment exceeding 1,000 U.S. gallons occurred within the three years prior to Plan certification date?		☐ Yes ☐ No ☑ NA
	• Have two reportable discharges as described in §112.1(b) from any oil-filled operational equipment each exceeding 42 U.S. gallons occurred within any 12-month period within the three years prior to Plan certification date?[12]		☐ Yes ☐ No ☑ NA
	*If **YES** for either, secondary containment in accordance with §112.7(c) is required*		
	• Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	Does not apply if the facility has submitted a FRP under §112.20: • Contingency plan following 40 CFR part 109 (see Attachment C of this checklist) is provided in Plan **AND**	☐ Yes ☐ No ☑ NA	
	• Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is provided in Plan	☐ Yes ☐ No ☑ NA	

Comments:

[11] This provision does not apply to oil-filled manufacturing equipment (flow-through process)

[12] Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

ONSHORE FACILITIES (EXCLUDING PRODUCTION) 40 CFR 112.8/112.12		PLAN	FIELD
112.8(b)/ 112.12(b) Facility Drainage			
Diked Areas (1)	Drainage from diked storage areas is: • Restrained by valves, except where facility systems are designed to control such discharge, **OR** • Manually activated pumps or ejectors are used and the condition of the accumulation is inspected prior to draining dike to ensure no oil will be discharged	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(2)	Diked storage area drain valves are manual, open-and-closed design (not flapper-type drain valves)	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
	If drainage is released directly to a watercourse and not into an onsite wastewater treatment plant, retained storm water is inspected and discharged per §§112.8(c)(3)(ii), (iii), and (iv) or §§112.12(c)(3)(ii), (iii), and (iv).	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
Undiked Areas (3)	Drainage from undiked areas with a potential for discharge designed to flow into ponds, lagoons, or catchment basins to retain oil or return it to facility. Catchment basin located away from flood areas.[13]	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(4)	If facility drainage not engineered as in (b)(3) (i.e., drainage flows into ponds, lagoons, or catchment basins) then the facility is equipped with a diversion system to retain oil in the facility in the event of an uncontrolled discharge.[14]	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(5)	Are facility drainage waters continuously treated in more than one treatment unit and pump transfer is needed?	☐ Yes ☑ No ☐ NA	☐ Yes ☐ No ☑ NA
If ***YES***	• Two "lift" pumps available and at least one permanently installed	☐ Yes ☑ No ☐ NA	☐ Yes ☐ No ☑ NA
	• Facility drainage systems engineered to prevent a discharge as described in §112.1(b) in the case of equipment failure or human error	☐ Yes ☑ No ☐ NA	☐ Yes ☐ No ☑ NA

Comments:

#10 112.8(b)(1,2) Deficiency, Field: Refer to Observation #3 in Attachment E of this report for additional details.
#11 112.8(b)(3,4) Deficiency, Field: Refer to Observation #4 in Attachment E of this report for additional details.
#12 112.8(c)(1) Deficiency, Field: Refer to Observation #12 in Attachment E of this report for additional details.
#13 112.8(c)(2) Deficiency, Field: Refer to Observation #3 in Attachment E of this report for additional details.
#14 112.8(c)(3) Deficiency, Field: Refer to Observation #14 in Attachment E of this report for additional details.
#15 112.8(c)(6) Deficiency, Field: Refer to Observation #15 in Attachment E of this report for additional details.

112.8(c)/112.12(c) Bulk Storage Containers ☐ NA

Bulk storage container means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

If bulk storage containers are not present, mark this section Not Applicable (NA). If present, complete this section and Attachment A of this checklist.

(1)	Containers materials and construction are compatible with material stored and conditions of storage such as pressure and temperature	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(2)	Except for mobile refuelers and other non-transportation-related tank trucks, construct all bulk storage tank installations with secondary containment to hold capacity of largest container and sufficient freeboard for precipitation	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	Diked areas sufficiently impervious to contain discharged oil **OR**	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	Alternatively, any discharge to a drainage trench system will be safely confined in a facility catchment basin or holding pond	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA

[13] Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.
[14] These provisions apply only when a facility drainage system is used for containment; otherwise mark NA

		PLAN	FIELD
(3)	Is there drainage of uncontaminated rainwater from diked areas into a storm drain or open watercourse?	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
If **YES**	• Bypass valve normally sealed closed	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Retained rainwater is inspected to ensure that its presence will not cause a discharge as described in §112.1(b)	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Bypass valve opened and resealed under responsible supervision	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
	• Adequate records of drainage are kept; for example, records required under permits issued in accordance with 40 CFR §§122.41(j)(2) and (m)(3)	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
(4)	For completely buried metallic tanks installed on or after January 10, 1974 (if not exempt from SPCC regulation because subject to all of the technical requirements of 40 CFR part 280 or 281):		
	• Provide corrosion protection with coatings or cathodic protection compatible with local soil conditions	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	• Regular leak testing conducted	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
(5)	The buried section of partially buried or bunkered metallic tanks protected from corrosion with coatings or cathodic protection compatible with local soil conditions	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
(6)	• Test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. Techniques include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other system of non-destructive testing	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Appropriate qualifications for personnel performing tests and inspections are identified in the Plan and have been assessed in accordance with industry standards	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• The frequency and type of testing and inspections are documented, are in accordance with industry standards and take into account the container size, configuration and design	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Comparison records of aboveground container integrity testing are maintained	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Container supports and foundations regularly inspected	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Outside of containers frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked areas	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
	• Records of all inspections and tests maintained[15]	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA
Integrity Testing Standard identified in the Plan: Comment: The facility had no documentation of integrity testing and had not identified an integrity testing standard.			
112.12 (c)(6)(ii) *(Applies to AFVO Facilities only)*	Conduct formal visual inspection on a regular schedule for bulk storage containers that meet all of the following conditions: • Subject to 21 CFR part 110; • Elevated; • Constructed of austenitic stainless steel; • Have no external insulation; and • Shop-fabricated.	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
	You must determine and document in the Plan the appropriate qualifications for personnel performing tests and inspections.[16]	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA

[15] Records of inspections and tests kept under usual and customary business practices will suffice

		PLAN	FIELD
(7)	Leakage through defective internal heating coils controlled: • Steam returns and exhaust lines from internal heating coils that discharge into an open watercourse are monitored for contamination, **OR** • Steam returns and exhaust lines pass through a settling tank, skimmer, or other separation or retention system	☐ Yes ☐ No ☑ NA ☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA ☐ Yes ☐ No ☑ NA
(8)	Each container is equipped with at least one of the following for liquid level sensing: • High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station, or audible air vent in smaller facilities; • High liquid level pump cutoff devices set to stop flow at a predetermined container content level; • Direct audible or code signal communication between container gauger and pumping station; • Fast response system for determining liquid level (such as digital computers, telepulse, or direct vision gauges) and a person present to monitor gauges and overall filling of bulk containers; or • Regularly test liquid level sensing devices to ensure proper operation.	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
(9)	Effluent treatment facilities observed frequently enough to detect possible system upsets that could cause a discharge as described in §112.1(b)	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA
(10)	Visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts are promptly corrected and oil in diked areas is promptly removed	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
(11)	Mobile or portable containers positioned to prevent a discharge as described in §112.1(b). Mobile or portable containers (excluding mobile refuelers and other non-transportation-related tank trucks) have secondary containment with sufficient capacity to contain the largest single compartment or container and sufficient freeboard to contain precipitation	☐ Yes ☑ No ☐ NA ☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA ☑ Yes ☐ No ☐ NA
112.8(d)/112.12(d)Facility transfer operations, pumping, and facility process			
(1)	Buried piping installed or replaced on or after August 16, 2002 has protective wrapping or coating Buried piping installed or replaced on or after August 16, 2002 is also cathodically protected or otherwise satisfies corrosion protection standards for piping in 40 CFR part 280 or 281 Buried piping exposed for any reason is inspected for deterioration; corrosion damage is examined; and corrective action is taken	☐ Yes ☑ No ☐ NA ☐ Yes ☑ No ☐ NA ☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA ☐ Yes ☑ No ☐ NA ☐ Yes ☑ No ☐ NA
(2)	Piping terminal connection at the transfer point is marked as to origin and capped or blank-flanged when not in service or in standby service for an extended time	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
(3)	Pipe supports are properly designed to minimize abrasion and corrosion and allow for expansion and contraction	☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA
(4)	Aboveground valves, piping, and appurtenances such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces are inspected regularly to assess their general condition Integrity and leak testing conducted on buried piping at time of installation, modification, construction, relocation, or replacement	☐ Yes ☑ No ☐ NA ☐ Yes ☑ No ☐ NA	☑ Yes ☐ No ☐ NA ☐ Yes ☑ No ☐ NA
(5)	Vehicles warned so that no vehicle endangers aboveground piping and other oil transfer operations	☐ Yes ☑ No ☐ NA	☐ Yes ☑ No ☐ NA

Comments:

#16 112.8(c)(8) Deficiency, Field: Refer to additional comments in Attachment E of this report.

#17 112.8(d)(5) Deficiency, Field: The EPA Inspection Team did not observe any signs warning vehicles from endangering aboveground piping and other oil transfer operations.

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ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE

Documentation of Field Observations for Containers and Associated Requirements

Inspectors should use this table to document observations of containers as needed.

Containers and Piping

Check containers for leaks, specifically looking for: drip marks, discoloration of tanks, puddles containing spilled or leaked material, corrosion, cracks, and localized dead vegetation, and standards/specifications of construction.

Check aboveground container foundation for: cracks, discoloration, and puddles containing spilled or leaked material, settling, gaps between container and foundation, and damage caused by vegetation roots.

Check all piping for: droplets of stored material, discoloration, corrosion, bowing of pipe between supports, evidence of stored material seepage from valves or seals, evidence of leaks, and localized dead vegetation. For all aboveground piping, include the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, bleeder and gauge valves, and other such items (Document in comments section of §112.8(d) or 112.12(d).)

Secondary Containment (Active and Passive)

Check secondary containment for: containment system (including walls and floor) ability to contain oil such that oil will not escape the containment system before cleanup occurs, proper sizing, cracks, discoloration, presence of spilled or leaked material (standing liquid), erosion, corrosion, penetrations in the containment system, and valve conditions.

Check dike or berm systems for: level of precipitation in dike/available capacity, operational status of drainage valves (closed), dike or berm impermeability, debris, erosion, impermeability of the earthen floor/walls of diked area, and location/status of pipes, inlets, drainage around and beneath containers, presence of oil discharges within diked areas.

Check drainage systems for: an accumulation of oil that may have resulted from any small discharge, including field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers. Ensure any accumulations of oil have been promptly removed.

Check retention and drainage ponds for: erosion, available capacity, presence of spilled or leaked material, debris, and stressed vegetation.

Check active measures (countermeasures) for: amount indicated in plan is available and appropriate; deployment procedures are realistic; material is located so that they are readily available; efficacy of discharge detection; availability of personnel and training, appropriateness of measures to prevent a discharge as described in §112.1(b).

Container ID/ General Condition[16] Aboveground or Buried Tank	Storage Capacity and Type of Oil	Type of Containment/ Drainage Control	Overfill Protection and Testing & Inspections
Not Available (no SPCC Plan)	Not Available (no SPCC Plan)	Not Available (no SPCC Plan)	Not Available (no SPCC Plan)

[16] Identify each tank with either an A to indicate aboveground or B for completely buried

ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE (CONT.)

Documentation of Field Observations for Containers and Associated Requirements

Container ID/ General Condition[17] Aboveground or Buried Tank	Storage Capacity and Type of Oil	Type of Containment/ Drainage Control	Overfill Protection and Testing & Inspections

[17] Identify each tank with either an A to indicate aboveground or B for completely buried

ATTACHMENT B: SPCC INSPECTION AND TESTING CHECKLIST

Required Documentation of Tests and Inspections

Records of inspections and tests required by 40 CFR part 112 signed by the appropriate supervisor or inspector must be kept by all facilities with the SPCC Plan for a period of three years. Records of inspections and tests conducted under usual and customary business practices will suffice. Documentation of the following inspections and tests should be kept with the SPCC Plan.

	Inspection or Test	Documentation		Not Applicable
		Present	Not Present	
112.7–General SPCC Requirements				
(d)	Integrity testing for bulk storage containers with no secondary containment system and for which an impracticability determination has been made	☐	☐	☑
(d)	Integrity and leak testing of valves and piping associated with bulk storage containers with no secondary containment system and for which an impracticability determination has been made	☐	☐	☑
(h)(3)	Inspection of lowermost drain and all outlets of tank car or tank truck prior to filling and departure from loading/unloading rack	☐	☑	☐
(i)	Evaluation of field-constructed aboveground containers for potential for brittle fracture or other catastrophic failure when the container undergoes a repair, alteration, reconstruction or change in service or has discharged oil or failed due to brittle fracture failure or other catastrophe	☐	☑	☐
k(2)(i)	Inspection or monitoring of qualified oil-filled operational equipment when the equipment meets the qualification criteria in §112.7(k)(1) and facility owner/operator chooses to implement the alternative requirements in §112.7(k)(2) that include an inspection or monitoring program to detect oil-filled operational equipment failure and discharges	☐	☐	☑
112.8/112.12–Onshore Facilities (excluding oil production facilities)				
(b)(1), (b)(2)	Inspection of storm water released from diked areas into facility drainage directly to a watercourse	☐	☑	☐
(c)(3)	Inspection of rainwater released directly from diked containment areas to a storm drain or open watercourse before release, open and release bypass valve under supervision, and records of drainage events	☐	☑	☐
(c)(4)	Regular leak testing of completely buried metallic storage tanks installed on or after January 10, 1974 and regulated under 40 CFR 112	☐	☐	☑
(c)(6)	Regular integrity testing of aboveground containers and integrity testing after material repairs, including comparison records	☐	☑	☐
(c)(6), (c)(10)	Regular visual inspections of the outsides of aboveground containers, supports and foundations	☑	☐	☐
(c)(6)	Frequent inspections of diked areas for accumulations of oil	☑	☐	☐
(c)(8)(v)	Regular testing of liquid level sensing devices to ensure proper operation	☐	☑	☐
(c)(9)	Frequent observations of effluent treatment facilities to detect possible system upsets that could cause a discharge as described in §112.1(b)	☐	☐	☑
(d)(1)	Inspection of buried piping for damage when piping is exposed and additional examination of corrosion damage and corrective action, if present	☐	☑	☐
(d)(4)	Regular inspections of aboveground valves, piping and appurtenances and assessments of the general condition of flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces	☑	☐	☐
(d)(4)	Integrity and leak testing of buried piping at time of installation, modification, construction, relocation or replacement	☐	☑	☐

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ATTACHMENT C: SPCC CONTINGENCY PLAN REVIEW CHECKLIST

☐ NA

40 CFR Part 109–Criteria for State, Local and Regional Oil Removal Contingency Plans

If SPCC Plan includes an impracticability determination for secondary containment in accordance with §112.7(d), the facility owner/operator is required to provide an oil spill contingency plan following 40 CFR part 109, unless he or she has submitted a FRP under §112.20. An oil spill contingency plan may also be developed, unless the facility owner/operator has submitted a FRP under §112.20 as one of the required alternatives to general secondary containment for qualified oil filled operational equipment in accordance with §112.7(k).

	109.5–Development and implementation criteria for State, local and regional oil removal contingency plans[18]	**Yes**	**No**
(a)	Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations.	☐	☐
(b)	Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including:	☐	☐
(1)	The identification of critical water use areas to facilitate the reporting of and response to oil discharges.	☐	☐
(2)	A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered.	☐	☐
(3)	Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., National Contingency Plan (NCP)).	☐	☐
(4)	An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority.	☐	☐
(c)	Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including:	☐	☐
(1)	The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally.	☐	☐
(2)	An estimate of the equipment, materials and supplies that would be required to remove the maximum oil discharge to be anticipated.	☐	☐
(3)	Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge.	☐	☐
(d)	Provisions for well-defined and specific actions to be taken after discovery and notification of an oil discharge including:	☐	☐
(1)	Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel.	☐	☐
(2)	Pre-designation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans.	☐	☐
(3)	A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations.	☐	☐
(4)	Provisions for varying degrees of response effort depending on the severity of the oil discharge.	☐	☐
(5)	Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses.	☐	☐
(e)	Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances.	☐	☐

[18] The contingency plan should be consistent with all applicable state and local plans, Area Contingency Plans, and the NCP.

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ATTACHMENT D: TIER II QUALIFIED FACILITY CHECKLIST ☑ NA

TIER II QUALIFIED FACILITY PLAN REQUIREMENTS —40 CFR 112.6(b)		
112.6(b)(1)	**Plan Certification:** Owner/operator certified in the Plan that:	☐ Yes ☐ No
(i)	He or she is familiar with the requirements of 40 CFR part 112	☐ Yes ☐ No ☐ NA
(ii)	He or she has visited and examined the facility[19]	☐ Yes ☐ No ☐ NA
(iii)	The Plan has been prepared in accordance with accepted and sound industry practices and standards and with the requirements of this part	☐ Yes ☐ No ☐ NA
(iv)	Procedures for required inspections and testing have been established	☐ Yes ☐ No ☐ NA
(v)	He or she will fully implement the Plan	☐ Yes ☐ No ☐ NA
(vi)	The facility meets the qualification criteria set forth under §112.3(g)(2)	☐ Yes ☐ No ☐ NA
(vii)	The Plan does not deviate from any requirements as allowed by §§112.7(a)(2) and 112.7(d), except as described under §112.6(b)(3)(i) or (ii)	☐ Yes ☐ No ☐ NA
(viii)	The Plan and individual(s) responsible for implementing the Plan have the full approval of management and the facility owner or operator has committed the necessary resources to fully implement the Plan.	☐ Yes ☐ No ☐ NA
112.6(b)(2)	**Technical Amendments:** The owner/operator self-certified the Plan's technical amendments for a change in facility design, construction, operation, or maintenance that affected potential for a §112.1(b) discharge	☐ Yes ☐ No ☐ NA
If **YES**	• Certification of technical amendments is in accordance with the self-certification provisions of §112.6(b)(1).	☐ Yes ☐ No ☐ NA
(i)	A PE certified a portion of the Plan (i.e., Plan is informally referred to as a hybrid Plan)	☐ Yes ☐ No ☐ NA
If **YES**	• The PE also certified technical amendments that affect the PE certified portion of the Plan as required under §112.6(b)(4)(ii)	☐ Yes ☐ No ☐ NA
(ii)	The aggregate aboveground oil storage capacity increased to more than 10,000 U.S. gallons as a result of the change	☐ Yes ☐ No ☐ NA
If **YES**	*The facility no longer meets the Tier II qualifying criteria in §112.3(g)(2) because it exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity.*	
	The owner/operator prepared and implemented a Plan within 6 months following the change and had it certified by a PE under §112.3(d)	☐ Yes ☐ No ☐ NA
112.6(b)(3)	**Plan Deviations:** Does the Plan include environmentally equivalent alternative methods or impracticability determinations for secondary containment?	☐ Yes ☐ No ☐ NA
If **YES**	Identify the alternatives in the hybrid Plan:	
	• Environmental equivalent alternative method(s) allowed under §112.7(a)(2);	☐ Yes ☐ No ☐ NA
	• Impracticability determination under §112.7(d)	☐ Yes ☐ No ☐ NA
112.6(b)(4)	• For each environmentally equivalent measure, the Plan is accompanied by a written statement by the PE that describes: the reason for nonconformance, the alternative measure, and how it offers equivalent environmental protection in accordance with §112.7(a)(2);	☐ Yes ☐ No ☐ NA
	• For each secondary containment impracticability determination, the Plan explains the reason for the impracticability determination and provides the alternative measures to secondary containment required in §112.7(d)	☐ Yes ☐ No ☐ NA
	AND	
(i)	PE certifies in the Plan that:	
(A)	He/she is familiar with the requirements of 40 CFR Part 112	☐ Yes ☐ No ☐ NA
(B)	He/she or a representative agent has visited and examined the facility	☐ Yes ☐ No ☐ NA
(C)	The alternative method of environmental equivalence in accordance with §112.7(a)(2) or the determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of 40 CFR Part 112.	☐ Yes ☐ No ☐ NA
Comments:		

[19] Note that only the person certifying the Plan can make the site visit

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ATTACHMENT E: ADDITIONAL COMMENTS

Flow Path to Waterway:
The facility is located less than 400 feet east of Circle Creek, which flows north to the Necanicum River approximately 1.5 miles north of the facility. However, it was not clear at the time of the EPA inspection that drainage would reach the creek via the closest pathway as previously shown in a 1991 assessment by Mittelhauser (See exhibit 1) due to a topographic high at the incoming road (Old US Hwy 101). Drainage from the facility did appear, however, to flow off site to the creek via either of two pathways: 1) through a large, deep, adjacent drainage ditch, which lies along the west side of the facility and flows down a powerline easement to Circle Creek, and 2) through a ditch and wet area on the east side of the facility to a culvert and pipe which then flows underneath an adjacent lumber yard to a vegetated and treed area, which is then drained by Circle Creek (See Exhibit 2). At the time of the EPA inspection, facility representatives stated they believed Circle Creek was not a navigable waterway. The EPA Inspection Team attempted to trace the flow path from the facility to Circle Creek, but could not reach Circle Creek due to the presence of private property and lack of access. The EPA Inspection Team then drove to a location approximately 1 mile north of the facility and obtained photos of Circle Creek (refer to Photo 1).

At the time of the EPA inspection, facility representatives provided a document they stated showed the Facility did not have a flow path to navigable water (refer to Exhibit 1). However, pdf Page 4 of the document (dated January 2, 1991) shows two flow paths from the facility: one to Circle Creek from the west side of the facility, and another into a "swampy area" adjacent to the lumber yard located directly north of the facility. The EPA Inspection Team visited the adjacent lumber yard, and representatives of the lumber yard stated that drainage from the wet area east of the Jackson & Son property is piped under their facility to a treed area north of the Lumber Yard, which is adjacent to Circle Creek. Representatives of the lumber yard also showed the EPA Inspection Team evidence of this drainage under their facility (refer to Photograph 2 and 3). The EPA Inspection Team also observed a long ditch with power lines running between Circle Creek and the wetland area north of the lumber yard (refer to above description and Photograph 4).

Exhibit 2 shows the location of the facility, surrounding property, nearby bodies of water, locations of Photographs 1 through 4 and drainage flow pathways as described in Exhibit 1.

Additionally, pdf pages 2 and 3 of Exhibit 1 show an application for coverage under the General Storm Water Permit; however, at the time of the EPA inspection, the facility was not covered under a stormwater permit.

#2 112.1(b)(3) Comment, Field: Three large tanks were located on the ground surface adjacent to the perimeter of the facility (refer to Photograph 5). Facility representatives stated that these tanks were out of service, but the tanks lacked proper labeling. The facility should add proper signage indicating these tanks are "Permanently Closed" with date of closure.

#3 112.7(c) and 112.8(c)(2) Bulk Storage Containers & 112.8(b)(3,4) Drainage From Undiked Areas Deficiencies, Field: Two 10,000-gallon single-walled diesel tanks were observed without appropriate secondary containment. The two tanks were situated at the edge of a gravel parking lot next to a small earthen ditch observed with dense vegetative growth, that facility representatives considered as adequate secondary containment (refer to Photographs 6 through 9). The small earthen berm is located adjacent to the drainage flow pathway from the facility that flows north under the adjacent Lumber Yard (refer to Exhibit 1 and 2). Additionally, facility representatives stated that there was no liner beneath the tanks or small earthen ditch. The small earthen berm did not have a drainage valve. The EPA Inspection Team observed that the facility drainage from undiked areas had the potential to discharge off site rather than being designed to be retained on site in the event of an uncontrolled discharge of oil at the facility.

ATTACHMENT E: ADDITIONAL COMMENTS (CONT.)

#4 112.7(c) Transfer Areas, Equipment, and Activities & 112.8(b)(3,4) Drainage From Undiked Areas Deficiencies, Field: The eastern diesel transfer area contains a single storm drain that drains to the aforementioned small earthen ditch described in Observation #3 above (refer to Photograph 10). The southern diesel and gasoline transfer area contains two storm drains (refer to Photograph 11 and 12) which discharge to the flow pathway from the facility that flows north under the adjacent Lumber Yard (refer to Exhibit 1 and 2) and (refer to Photograph 13). The facility's truck loading rack area contains a single sump inlet that is connected to a 100-gallon sump (refer to Photographs 14 and 15). Based on the flat topography of the facility, a discharge to this sump in excess of the 100-gallon capacity would likely overflow and discharge southwest towards the flow pathway from the facility that flows northwest toward Circle Creek (refer to Exhibit 1 and 2). The EPA Inspection Team observed that the facility drainage from undiked areas had the potential to discharge offsite rather than being designed to be retained onsite in the event of an uncontrolled discharge of oil at the facility.

#9 112.7(h)(3) Deficiency, Field: The facility did not maintain documentation or procedures to inspect lower-most drains and all outlets on tanker trucks prior to filling and departure as required by 112.7(h)(3).

#12 112.8(c)(1) Deficiency, Field: The EPA Inspection Team observed extreme metal corrosion and de-lamination along the base of two of the four field-constructed aboveground storage containers located in the center of the facility (refer to Photographs 16 through 18). The EPA Inspection Team also observed an oil leak and oil staining along the base of one tank (refer to Photographs 16 and 19). It should be noted that according to facility representatives, none of the facility's aboveground storage tanks had every received any formal integrity testing since being placed into service.

#14 112.8(c)(3) Deficiency, Field: The facility did not maintain documentation of inspections of uncontaminated rainwater from diked areas prior to discharge. Also refer to Observation #3 in Attachment E of this report for additional details.

#15 112.8(c)(6) Deficiency, Field: The facility did not maintain documentation of integrity testing for any tanks, and had not identified an integrity testing standard.

#16 112.8(c)(8) Comment, Field: Facility representatives stated that none of the tanks have overfill alarms; however, facility representatives stated that they stick the tanks approximately once per month to measure product levels. Additionally, facility representatives stated that only the truck driver is present during tank loading operations. The EPA Inspection Team also observed a broken Varec tank gauge on one of the large field-constructed ASTs in the center of the facility (refer to Photograph 20).

#17 112.8(d)(1,4) Comment, Field: The facility did not maintain documentation of inspections for deterioration or corrosion of underground piping when underground piping is exposed. Additionally, it is unclear if underground piping has a protective coating or cathodic protection, or if integrity and leak testing of underground piping was being performed at the time of installation, modification, construction, relocation or replacement.

ATTACHMENT F: PHOTO DOCUMENTATION NOTES

Photo#	Photographer Name	Time of Photo Taken	Compass Direction	Description
All	Cassidy Owen	1018 - 1213	varies	Photographs DSCN0787.JPG through DSCN0819JPG are described in a separate photograph log file.

ATTACHMENT F: PHOTO DOCUMENTATION NOTES (CONT.)

Photo#	Photographer Name	Time of Photo Taken	Compass Direction	Description

CX 01 Appendix A. SPCC Inspection Photograph Log, September 21, 2021

SPCC Inspection Photograph Log

Jackson and Son Oil

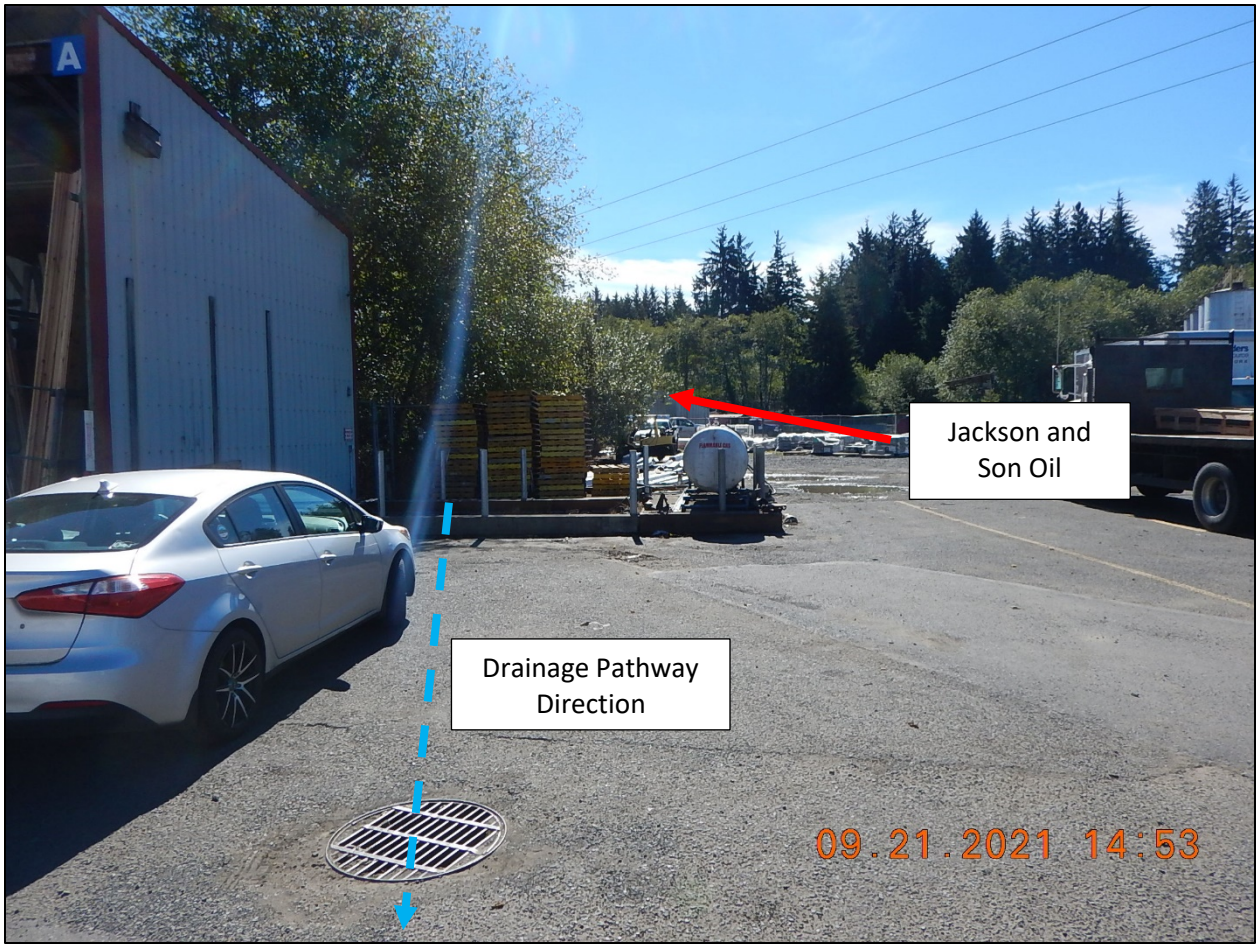
84721 Happel Lane, Seaside, OR 97138

Inspection and Photograph Date: September 21, 2021

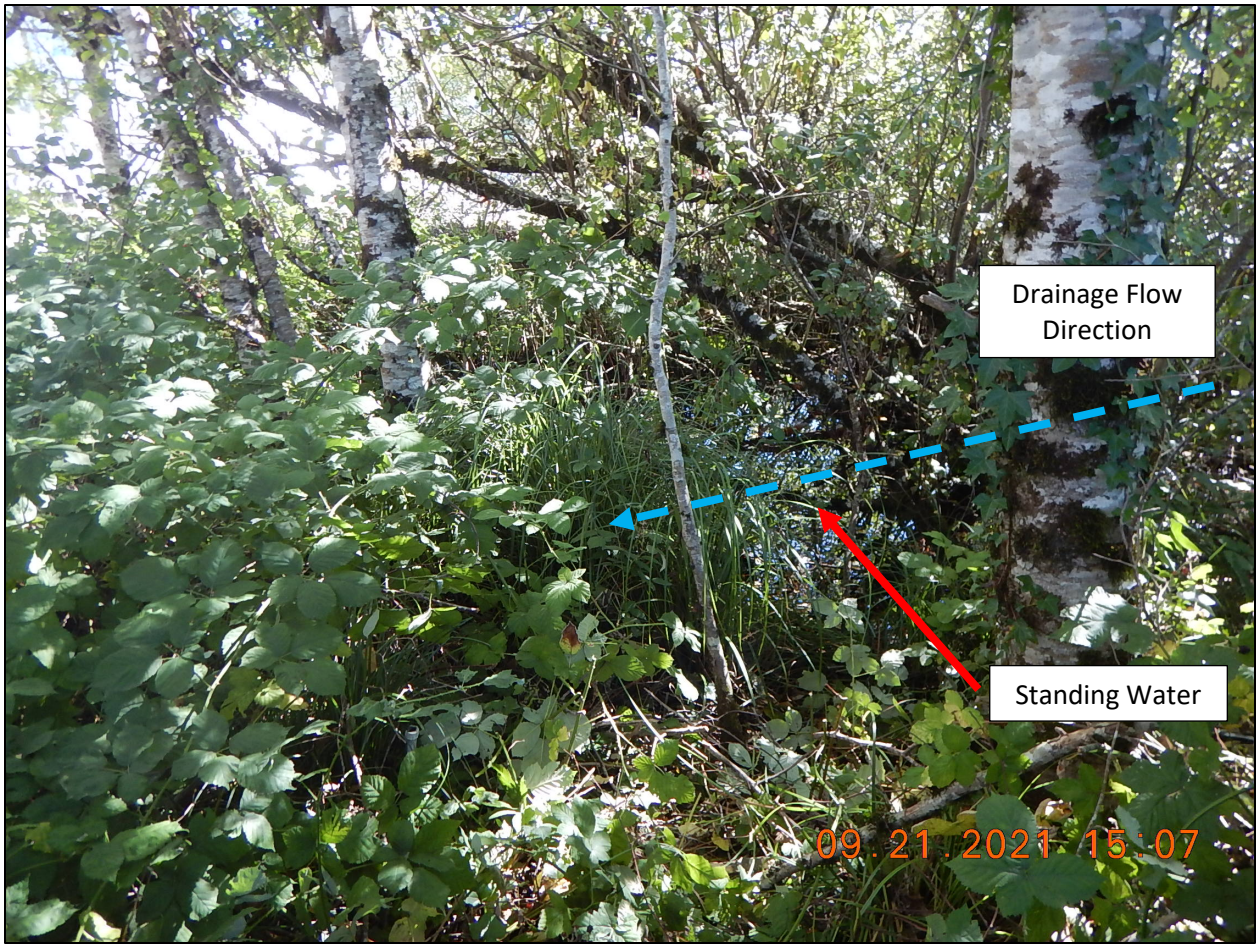
Lead Inspector: Richard Franklin (OSC)

All photographs taken by Cassidy Owen (Contractor)

Photograph 1. View, facing southeast, of Circle Creek from approximately one mile northwest of the Jackson and Son Oil facility. This location is downstream from the facility.



Photograph 2. View, facing southeast towards Jackson and Son Oil, of the drainage pathway from the northeastern portion of the Jackson and Son Oil facility. Note that the manhole inlet pictured is above the subsurface drainage conveyance running from the northeast side of the Jackson and Son Oil facility under the lumber yard to a wetland area located north of the lumber yard.



Photograph 3. View of standing water and the drainage direction from the northeast side of the Jackson and Son Oil facility before being conveyed underneath the lumber yard facility to the north.

Photograph 4. View, facing northwest, of an apparent conveyance channel with powerlines running between Circle Creek and the wetland area north of the lumber yard.

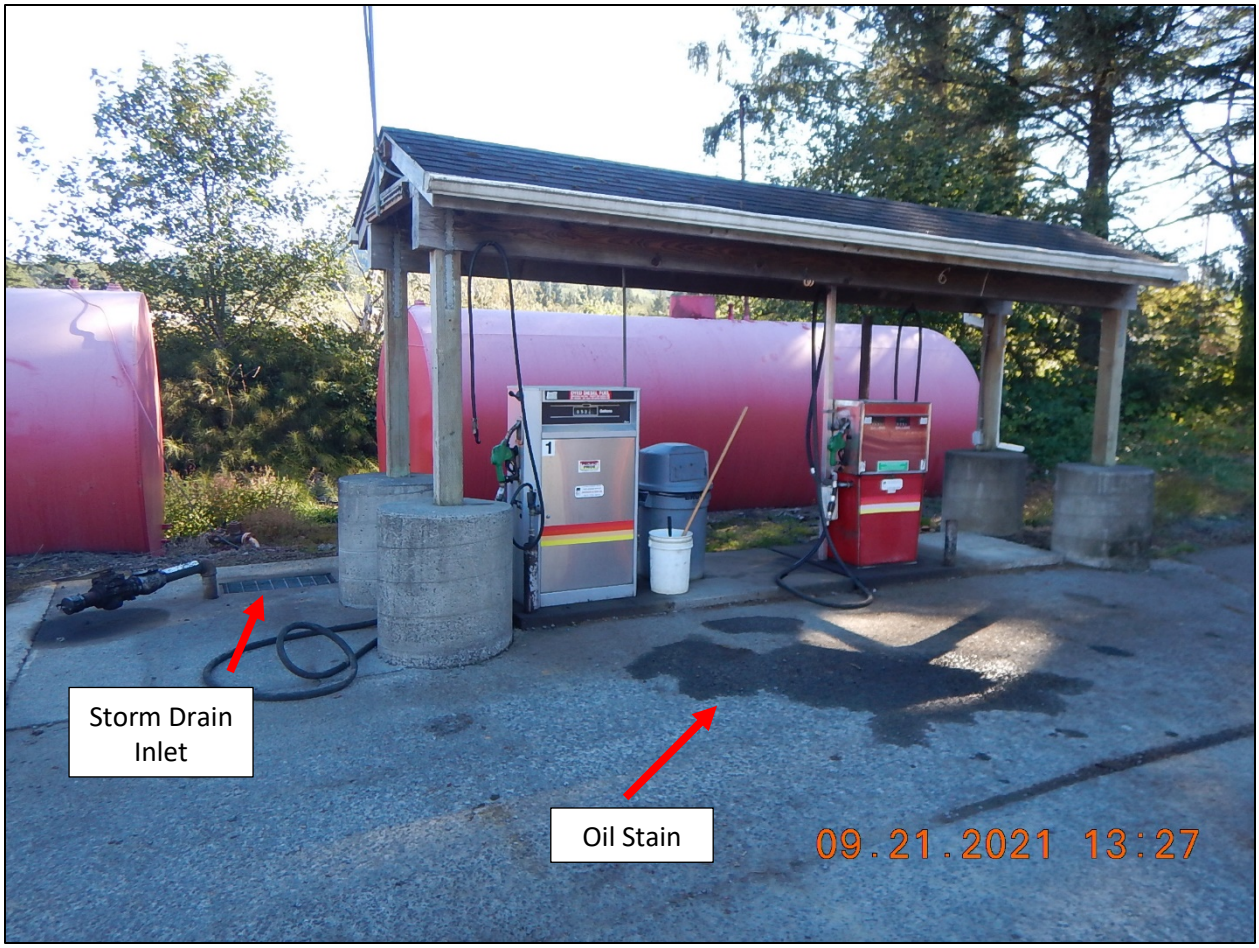
Photograph 5. View, facing west, of three large tanks located on the ground adjacent to the southwest perimeter of the facility. Facility representatives stated that the tanks were out of service, but the tanks lacked any labelling indicating they were permanently closed.

Photograph 6. View, facing east, of two 10,000-gallon single-walled diesel tanks without appropriate secondary containment. Note the location of the tanks in reference to the gravel parking lot.

Photograph 7. View, facing northeast, of the two 10,000-gallon single-walled diesel tanks without appropriate secondary containment. Note the small earthen ditch located behind the tanks that facility representatives considered secondary containment. behind the tanks is almost at level with the paved parking lot. Also note that the small earthen ditch was nearly at-grade with the paved parking lot shown in this phorograph.

Photograph 8. View, facing southeast, behind the two 10,000-gallon single-walled diesel tanks without appropriate secondary containment. Note the dense vegetation in the small earthen ditch that facility representatives considered secondary containment. The diesel tanks were also observed lacking proper stabilization to prevent them from rolling back into the small earthen ditch.

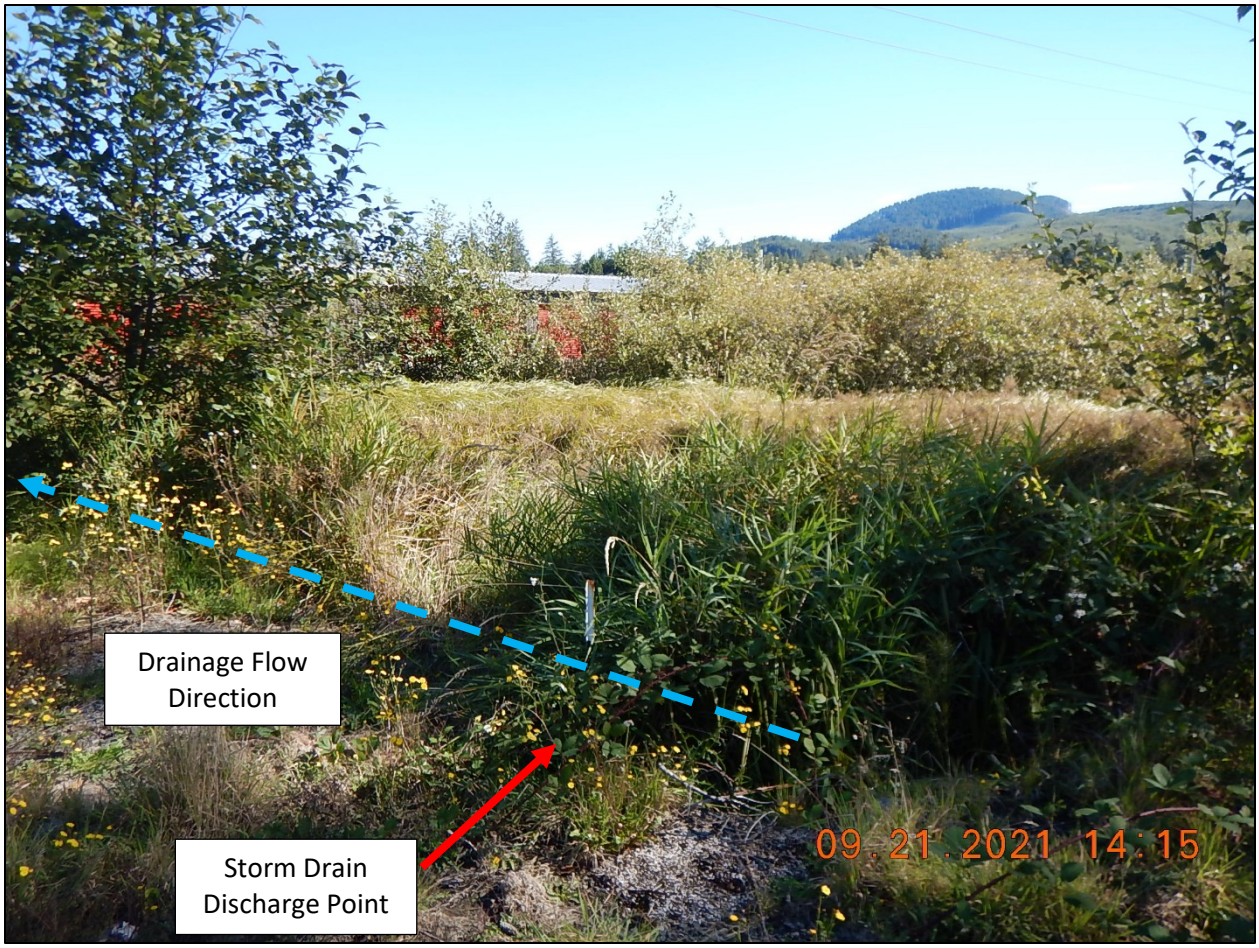
Photograph 9. View, facing northeast, behind the two 10,000-gallon single-walled diesel tanks without appropriate secondary containment. The area shown is the small earthen ditch that the facility representatives considered secondary containment for these two tanks. Facility representatives also stated that there is no liner under the tanks or ditch. Additionally, the east drainage pathway from the facility leading north under the adjacent Lumber Yard is located directly beyond this ditch.



Photograph 10. View, facing east, of the facility's eastern diesel transfer area with a single storm drain inlet. Facility representatives stated this storm drain discharges to the small earthen ditch described in Observation #3 and Photographs 6 through 9. Also note the oil stain on the impervious surface at the transfer area.

Photograph 11. View, facing south, of the facility's southern diesel and gasoline transfer area and one of the two storm drains located in this area. Facility representatives stated this storm drain discharges offsite, in the area of the northeast drainage pathway from the facility (refer to Photograph 13).

Photograph 12. View, facing southwest, of the facility's southern diesel and gasoline transfer area and the second of the two storm drains located in this area. Facility representatives stated this storm drain discharges offsite, in the area of the east drainage path from the facility (refer to Photograph 13).



Photograph 13. View, facing northeast, of discharge point for the two storm drains located at the facility's southern diesel and gasoline transfer area. Drainage from this area of the facility flows north, under the adjacent Lumber Yard property, and into the wetland area north of the Lumber Yard.

Photograph 14. View, facing south, of the facility's truck loading rack. Note the single sump inlet that is connected to a 100-gallon sump.

Photograph 15. View, facing west, of the facility's truck loading rack. Note the single sump inlet that is connected to a 100-gallon sump. Also note the lack of a brake interlock system, physical barriers, warning signs, or wheel chocks at the loading rack.

Photograph 16. View, facing east, of the four largest aboveground storage tanks at the facility located inside secondary containment.

Photograph 17. Close up view of metal corrosion and delamination along the base of the rightmost tank shown in Photograph 16. Note that these tanks had never received any formal integrity testing since being placed into service.

Photograph 18. Additional view of metal corrosion and delamination along the base of the second from the rightmost tank shown in Photograph 16. Note that these tanks had never received any formal integrity testing since being placed into service.

Photograph 19. Close-up view of an active oil leak and oil staining along the base of the second from the rightmost tank shown in Photograph 16. Note that these tanks had never received any formal integrity testing since being placed into service.

Photograph 20. View of a broken Varec tank gauge on the second from the rightmost tank shown in Photograph 16.

Photograph 21. View inside the facility's drum and tote storage warehouse. The warehouse contained approximately 14 55-gallon drums and 6 larger totes.

Photograph 22. View, facing northeast, of an additional drum storage area located behind the facility's drum and tote storage warehouse shown in Photograph 21.

CX 01 Appendix B: Exhibit 1
January 2, 1991 Drainage Analysis

Exhibit 1:

January 2, 1991 Drainage Analysis

MITTELHAUSER corporation

2401 Crow Canyon Road, Suite 100
San Ramon, California 94583
(415) 743-0335

January 2, 1991

Terry Allen or Curt Snyder
Clatsop City Planning Department
P.O. Box 179
Astoria, Oregon 97103

Dear Terry:

Please complete the enclosed Land Use Compatibility Statement (LUCS) for the following facility:

Jackson & Sons Oil, Incorporated
Hwy 101 & 26 Hamlet Rt.
Seaside, Oregon 97138
(503) 738-5833

The federal storm water rules and DEQ require a permit for many industrial sites, provided that storm water leaves the site and can reach surface waters of the state. The permit application, Registration Application for General Storm Water Permit, is due by January 1, 1992. In addition to the permit application, DEQ requires a LUCS be completed by the local government(s). DEQ is allowing facilities to send the LUCS separate of the permit applications, but they should arrive as soon as possible. Therefore, we request the local planning department complete the LUCS for the facility named above and send a copy of the LUCS directly to DEQ. Additionally, please send a copy to the address below:

Union Oil Company of California (UNOCAL)
c/o Mittelhauser Corporation
2401 Crow Canyon Road, Suite 100
San Ramon, California 94583
(510) 743-0335

If you have any questions, please call Mike Zimmerman, Mittelhauser, at (510) 743-0335 or Joe Comstock, Union Oil Company of California, at (510) 277-2421.

Sincerely,

MITTELHAUSER CORPORATION

Michael J. Zimmerman
Environmental Engineer

Enclosure: LUCS Form
A:\WP51\0718LUCS.wp

DEPARTMENT OF ENVIRONMENTAL QUALITY
811 SW Sixth Avenue
Portland, Oregon 97204

LAND USE COMPATIBILITY STATEMENT

(read page 1 before completing)

TO BE COMPLETED BY APPLICANT

1. Name: Larry Jackson Address: Hwy. 101 & 26 Hamlet Rt., Seaside, OR 97138
(City State Zip)

Phone: (503) 738-5833 Type of permit/approval: General Storm Water Permit

2. Application to DEQ will be for: X New Permit/Plan Approval ___ Permit Renewal
___ Permit Modification ___ Authorization Letter

3. Name and address of business: Jackson & Sons Oil, Inc. (see address above)

4. Describe the type of business and product or service the business provides:
Petroleum Bulk Plant - provides bulk storage and distribution (truck loading and unloading) of petroleum products.

5. If not a new source, explain the change in circumstances that require a permit/approval:
The new federal storm water rules require a NPDES General Storm Water Permit as well as a Land Use Compatibility Statement (LUCS).

6. Describe the specific source/facility that requires a permit/approval:
Storm Water associated with runoff from the site.

7. For permit modification/renewal only: Does the criteria in section II, page 1 apply to the proposed permit modification or renewal? ___ Yes ___ No
Explain basis for determination:
N/A

If yes, describe how the changes may impact land uses, i.e. increased lot coverage; increased air emissions, water discharges or noise levels; impacts to transportation system, etc.:
N/A

TO BE COMPLETED BY LOCAL GOVERNMENT

8. Business/facility location: ___ Inside city limits ___ Inside UGB ___ Outside UGB
What local government(s) has planning jurisdiction over this use? _____
Is the local plan currently acknowledged? ___ Yes ___ No If no, is this use affected by any portion of the plan which is not acknowledged? ___ Yes ___ No

9. The business/facility:

A. ___ *Is an allowed outright use.
B. ___ Is allowed subject to siting, design, constructon or operational standards.
C. ___ Is allowed subject to conditional use or review requirements which require public notice.
D. ___ Is prohibited by the plan.
E. ___ Is not addressed by the plan.

* This means the use may exist without any further local planning conditions or authorizations.

DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND USE COMPATIBILITY REQUIREMENT FOR ENVIRONMENTAL PERMITS/APPROVALS

The Department of Environmental Quality requires regulatory source permits/approvals for facilities that discharge or release pollutants into the environment. Through these permits, specific environmental criteria or standards must be met. The criteria and standards are intended to ensure that public health, safety and the environment are protected.

Land uses that are subject to environmental regulations must also comply with local government planning regulations. Land uses are classified into land use zones, in part due to their general impact on and compatibility with other types of uses. It is the Department's policy that proof of local land use compatibility be submitted with a source permit application. This assures that the type of land use and activities in conjunction with that use have been reviewed and approved by local government before a permit is processed and issued.

I. NEW PERMITS/APPROVALS. The Department of Environmental Quality requires that a Land Use Compatibility Statement (LUCS) from the affected local government(s) be submitted with an application for the following:

1. Air Contaminant Discharge Permits (ACDP)
2. Noise Impact Boundaries for Racing Facilities
3. Airport Abatement Plan/Noise Impact Boundaries
4. Air Indirect Source Construction Permits
5. Parking and Traffic Circulation Plans
6. Solid Waste Disposal Permits/Authorization Letter
7. Waste Tire Storage Permits
* 8. HW/PCB Storage, Treatment and Disposal Permits
9. Pollution Control Bond Fund Requests
10. Wastewater System Facility/Sewer System Plans
11. Water Quality Construction Grants
12. Municipal Wastewater Treatment System State Revolving Loan Requests
13. Certification of Water Quality Standards for Federal Permits
14. On-Site Sewer Permits
15. Water Discharge Permits (NPDES/WPCF/General)

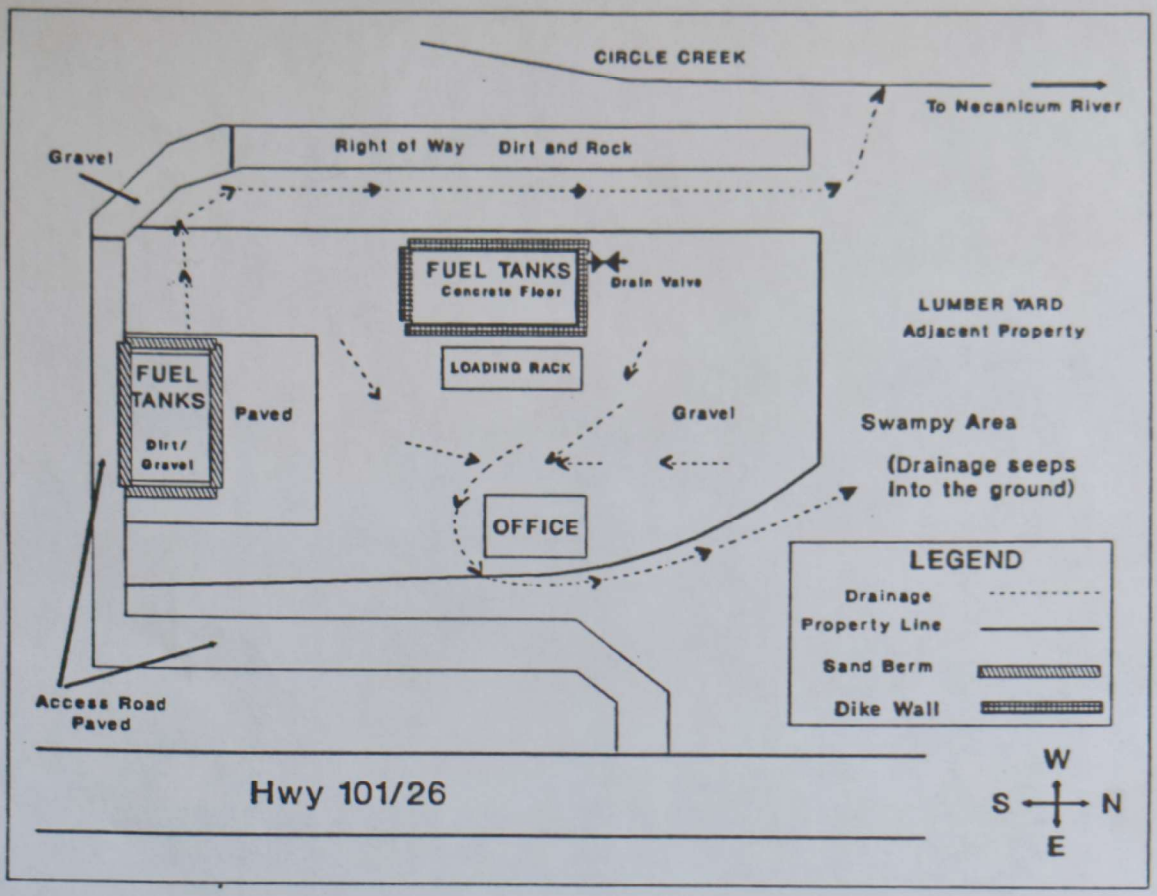
II. PERMIT MODIFICATION/RENEWAL. A permit modification requires an approved LUCS if any of the following apply: (1) The permitted source or activity involves the use of additional property or a physical expansion on the existing property. The LUCS applies to physical changes on the property, not to existing permit conditions; (2) The permitted source or activity involves a significant increase in discharge to state waters or into the ground; (3) The permitted source or activity involves the relocation of an outfall outside of the source property; (4) For a major modification of an air contaminant discharge permit, which means any physical change or change of operation of a source that results in a net significant emission rate increase as defined in OAR 340-20-225(25).

A permit renewal requires an approved LUCS if the renewal is to address a modification which applies to (1), (2), (3), or (4) above, or if an approved LUCS was not provided for the existing permit.

An applicant seeking a Department permit or approval is required to submit a LUCS to the affected local government(s) for a determination of compatibility with the local comprehensive plan(s). Typically, a local compatibility review includes a determination that the use or proposed use is allowable within its given zoning designation. The local government must include written findings of fact substantiating its determination. Required findings must: 1) State the relevant criteria, standards or policies; 2) State the facts relied upon in rendering the decision; and 3) State the conclusions and reasoning, referencing applicable policies. For example, if a use is allowed outright, a copy of the zone provision or citation and summary would constitute sufficient findings. If a review of some sort is required, the findings must include the review criteria and review conclusions.

In cases where a city and county share jurisdiction, a compatibility determination, sign off, and written findings are required from both entities.

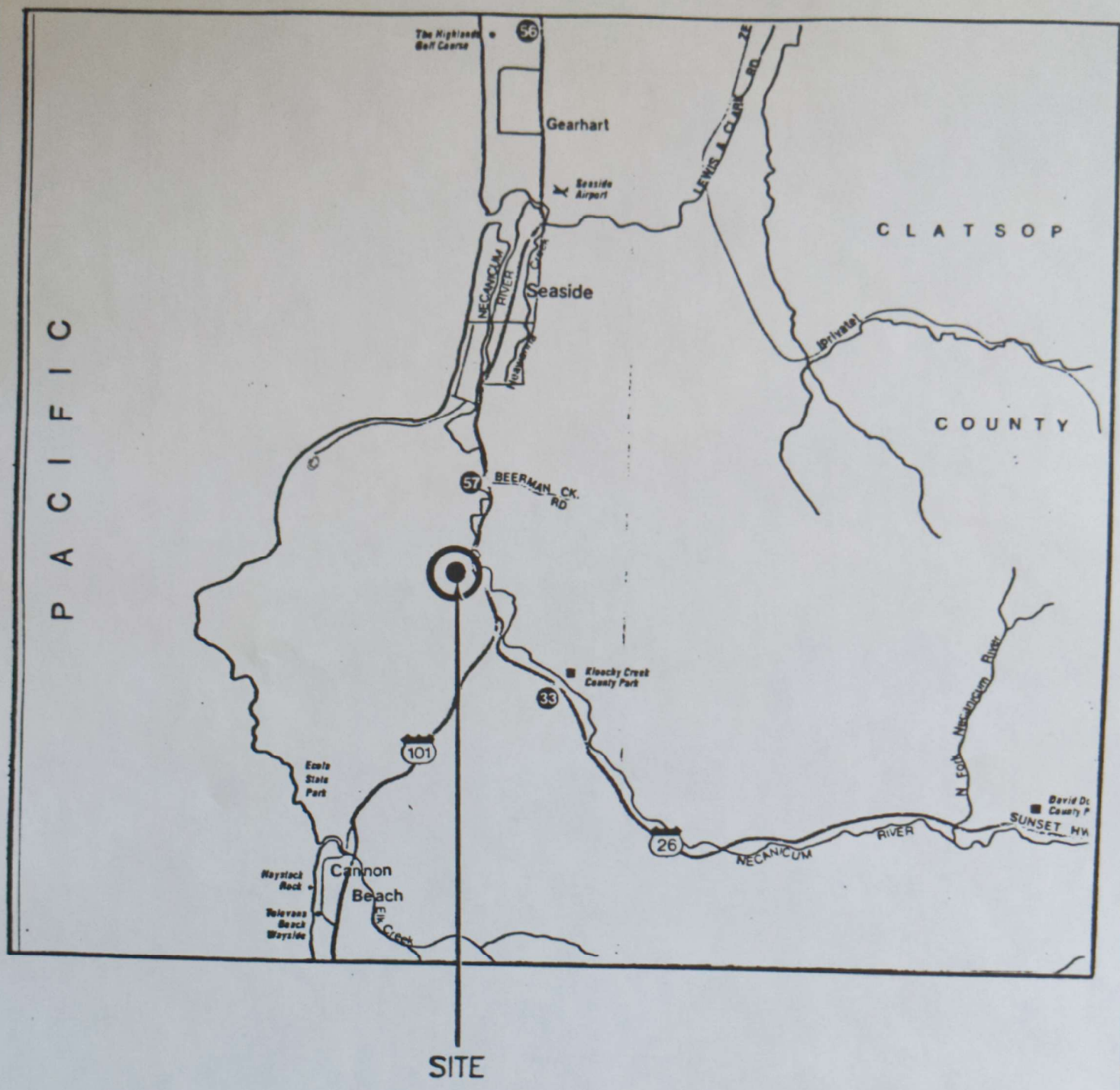
* DEQ administrative rule Division 20 requires specific findings.



ENG	MJZ
CHK BY	MJZ
APT BY	
DRAWN	DLP
DATE	12/27/91
SCALE	
CAD NO	18910003
PRJ NO	P1891

PLOT PLAN
SEASIDE BULK PLANT

DRWG NO BP-0718 REV 0



ENG	MJZ
CHK BY	MJZ
APP BY	
DRAWN	DLP
DATE	12/30/91
SCALE	
CAD NO	18910005
PRJ NO	P1891

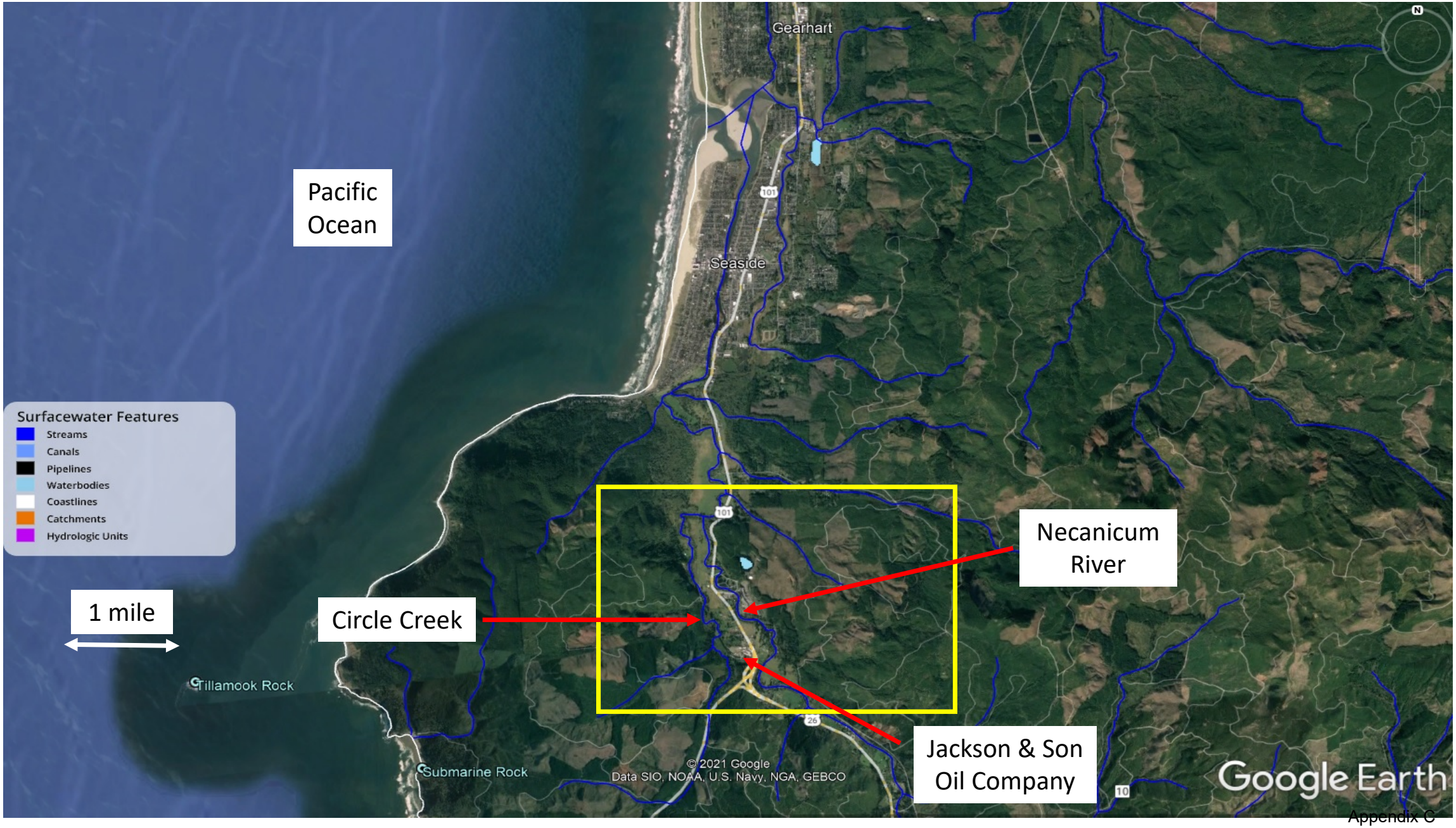
LOCATION MAP

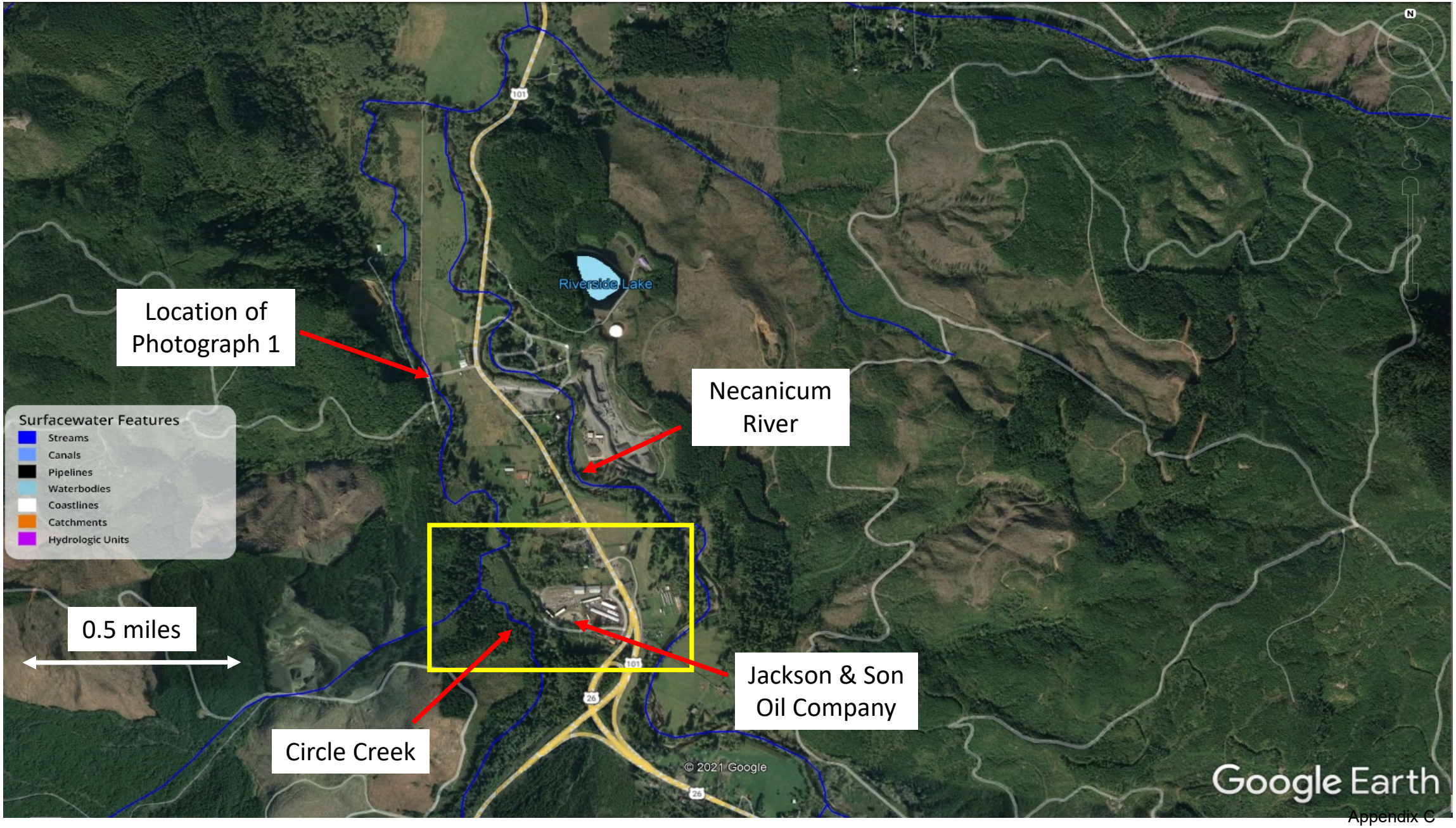
JACKSON & SONS OIL
SEASIDE, OREGON

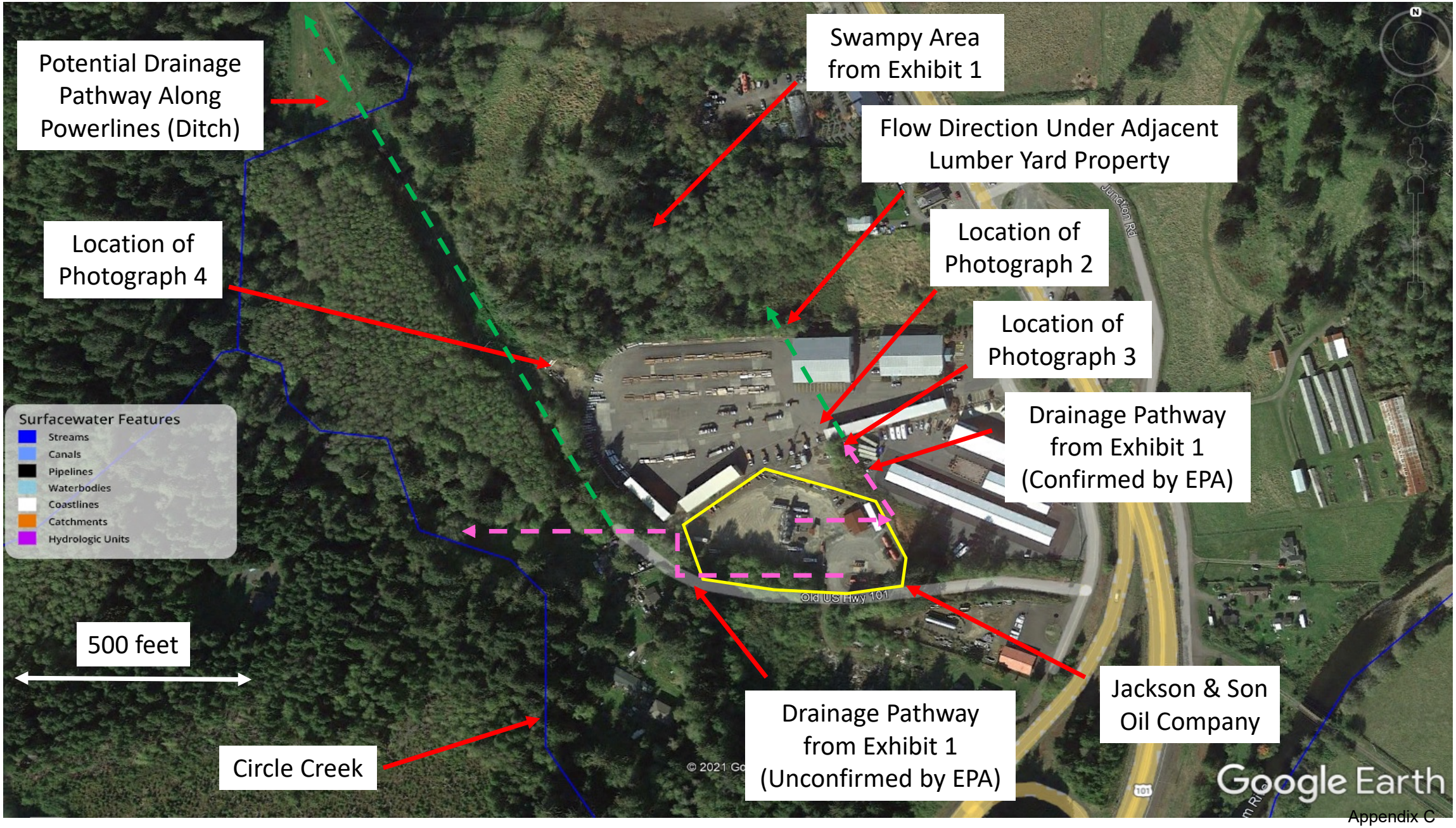
DRWG NO BP-0718 REV 0

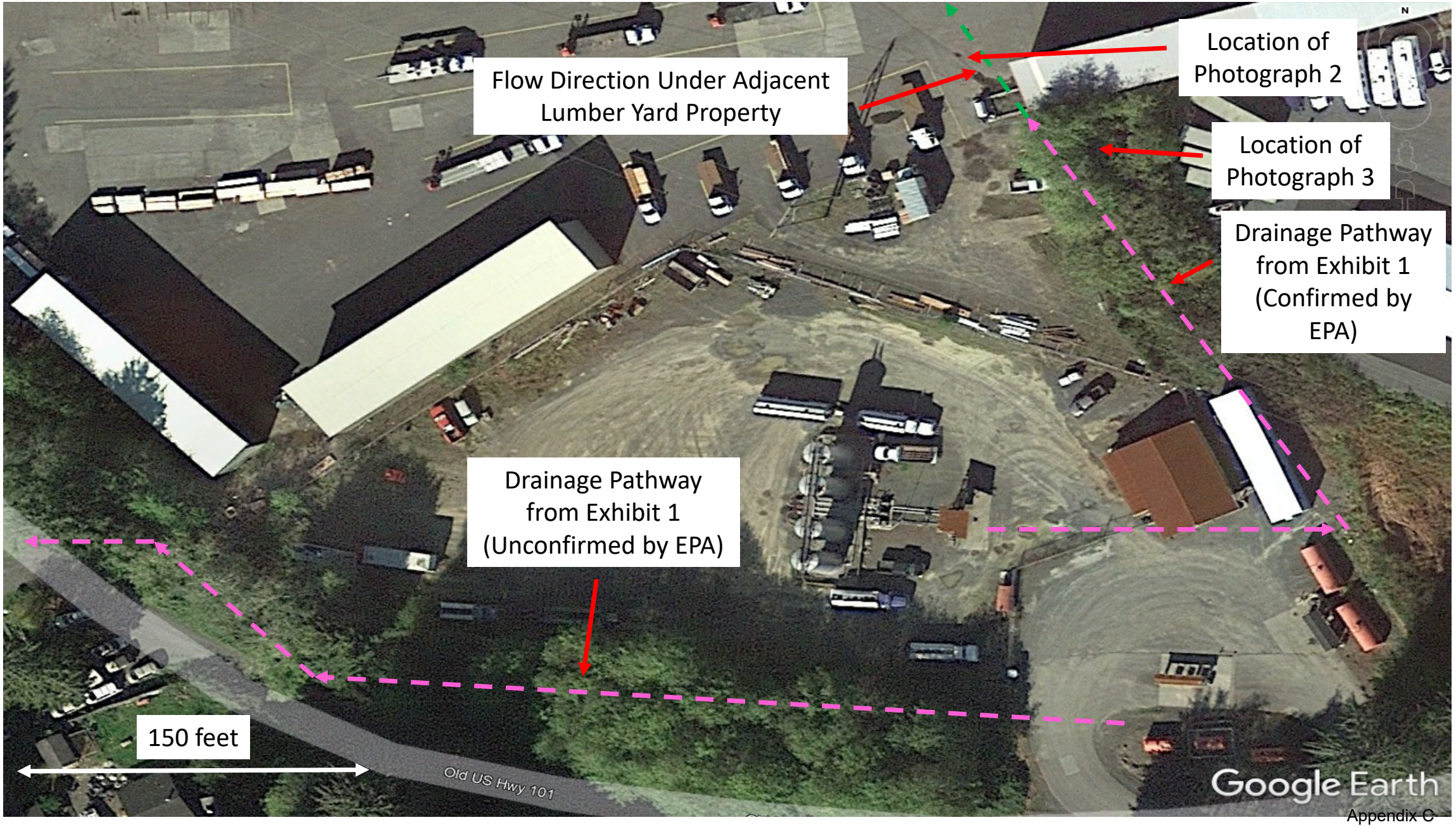
CX 01 Appendix C: Exhibit 2
Area Overview and Drainage Pathways

Exhibit 2:
Area Overview and Drainage Pathways


Pacific Ocean
Gearhart
Seaside
Surfacewater Features
Streams
Canals
Pipelines
Waterbodies
Coastlines
Catchments
Hydrologic Units
1 mile
Circle Creek
Necanicum River
Jackson & Son Oil Company
Tillamook Rock
Submarine Rock
© 2021 Google
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Google Earth


Location of Photograph 1
Necanicum River
Jackson & Son Oil Company
Circle Creek
Riverside Lake
Surfacewater Features
Streams
Canals
Pipelines
Waterbodies
Coastlines
Catchments
Hydrologic Units
0.5 miles
© 2021 Google
Google Earth


Potential Drainage Pathway Along Powerlines (Ditch)
Swampy Area from Exhibit 1
Flow Direction Under Adjacent Lumber Yard Property
Location of Photograph 4
Location of Photograph 2
Location of Photograph 3
Drainage Pathway from Exhibit 1 (Confirmed by EPA)
Surfacewater Features
Streams
Canals
Pipelines
Waterbodies
Coastlines
Catchments
Hydrologic Units
500 feet
Circle Creek
Drainage Pathway from Exhibit 1 (Unconfirmed by EPA)
Jackson & Son Oil Company
Junction Rd
Old US Hwy 101
Google Earth


Location of Photograph 2
Flow Direction Under Adjacent Lumber Yard Property
Location of Photograph 3
Drainage Pathway from Exhibit 1 (Confirmed by EPA)
Drainage Pathway from Exhibit 1 (Unconfirmed by EPA)
150 feet
Old US Hwy 101
Google Earth

CX 01 Appendix D: Notice of SPCC Inspection September 21, 2021

NOTICE OF SPCC INSPECTION
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

Date: 9/21/21	Lead Inspector (Print Name & Sign): Richard Franklin / Richard Franklin	Inspection Number: TBD
Additional Inspectors: Cassidy Owen		
Facility Name: Jackson & Son Oil Company	Facility Address: 84721 Happel Lane Seaside, OR 97138	Facility Type: Fuel Distributor
Facility Phone: 503-738-5833	Facility Email: jacksonoil@seasurf ~~surfsea~~.net	Facility Fax:

The purpose of the inspection process is to determine compliance with Section 311 of the Clean Water Act (the "Act"), 33 U.S.C. § 1321, and the Oil Pollution Prevention regulations found at 40 C.F.R. Part 112 (the "Regulations"). The scope of the inspection and plan review process may include, but is not limited to, reviewing and obtaining copies of documents and records; interviewing facility personnel; a physical inspection of the facility (including process areas); taking photographs or video; collecting samples; and other activities necessary to determine compliance with the Act and the Regulations.

Please review this Notice of SPCC Inspection ("Notice") carefully. Please be advised that this Notice and any attached document(s) may not set forth all deficiencies with the Act and/or Regulations, and that an in-depth review of this Notice and any other relevant information may identify deficiencies not yet identified herein. Also note that the deficiencies noted are preliminary observations only, and this Notice is not a final determination of compliance or noncompliance.

Please be advised that any noncompliance with the Act and/or Regulations may constitute a violation under the Act for which penalties or other relief may be sought. Penalties may be assessed upon subsequent findings by a court of law or the Administrator that the facility has violated the Act and/or the Regulations. The United States Environmental Protection Agency ("EPA") reserves its right to initiate an enforcement action under the Act and any other applicable law, and to seek penalties and other appropriate relief for any violation of the Act, the Regulations, or other applicable laws. This Notice and other relevant information will be reviewed by appropriate EPA personnel to determine if any deficiencies identified in such review constitute violations of the Act and/or the Regulations, and whether an enforcement action is appropriate. EPA will provide written correspondence describing any deficiencies identified during the subsequent inspection review process.

If deficiencies with the Act and/or Regulations were identified during the inspection and communicated to you during the closing conference, you are urged to correct such deficiencies as soon as possible. EPA requests you submit all information, as soon as possible, evidencing your correction of the deficiencies to:

Kate Spaulding OCE-101
U.S. EPA Region 10
1200 Sixth Ave., Suite 900
Seattle, WA 98101
Spaulding.kate@epa.gov

If it is not feasible to correct the deficiencies within 30 days of the date of the inspection, immediately submit a detailed explanation and schedule indicating by when the noted deficiencies will be corrected. If you believe that your facility is not required to have an SPCC Plan, or is in compliance with the SPCC regulatory requirements, you may submit an explanation, supported by documentation, as to why the facility is not subject to the SPCC provision of the Oil Pollution Prevention regulations at 40 C.F.R Part 112 or meets its requirements within 30 days of the date of the inspection.

Confidential Business Information

For the information submitted to EPA, you may be entitled to claim it as Confidential Business Information (CBI) pursuant to the regulations set forth in 40 C.F.R. Part 2. If EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in 40 C.F.R. Part 2 Subpart B. Unless CBI is claimed, EPA may make the information available to the public without further notice to you.

Acknowledgement of Inspection

Signature of Facility Representative: Casey Jackson **Date signed:** 9/21/21

Printed Name of Facility Representative Casey Jackson **Title:** GM

Version 11/1316