

## Farm Fuel Storage

### MPCA and US EPA Requirements

Recently I have received several requests from farmers for information about the requirements for secondary containment for farm fuel tanks. As always, when it comes to government rules and regulations, the answer is never as simple as it should be. I will attempt to shed some light on the subject in the next few paragraphs.

The first entity that has jurisdiction is the Minnesota Pollution Control Agency (MPCA). Their rules state that any single above ground tank containing more than 1100 gallons of gasoline, diesel fuel or heating fuel is required to have secondary containment large enough to hold 110% of the largest tank in the containment area. This containment area can be earthen with an approved synthetic liner or concrete. Double walled tanks also comply as well as other forms of containment upon approval by MPCA. **The good news for farmers is that they are exempt from the MPCA rules.** These rules however do apply to all other types of commercial businesses in Minnesota.

The second entity that has jurisdiction is the United States Environmental Protection Agency (EPA). **Unfortunately, farmers are not exempt from these rules.** This program is called the Oil Spill Prevention, Control, and Countermeasure Program (OSPCC). This program has been in effect since sometime in the 1970's. It is receiving more attention in the last few years because farm storage capacity of fuels has increased dramatically.

The OSPCC Program requires any business or entity, **including farmers**, with more than 1320 US gallons of total above ground oil storage capacity, or more than 42,000 gallons of underground storage capacity; **and** could reasonably be expected to discharge oil to US shorelines, interstate waters, intrastate waters, rivers or streams; to have an Oil Spill Prevention, Control, and Countermeasure Plan (SPCC Plan). The term oil includes products such as diesel fuel, gasoline, lube oil, hydraulic oil, adjuvant oil, crop oil, vegetable oil, or animal fat. All storage tanks of these products that are 55 gallons or larger must be included in the plan. The program requires that all tanks have secondary containment able to hold the full capacity of the containers plus possible rainfall. The dike may be constructed of heavy clay earth, concrete or may be earthen with an approved synthetic membrane liner. Double walled tanks are also acceptable. If transports that use a hose to connect directly to tank piping are used to fill the tanks, there needs to be a containment area for the transport tank that is capable of holding the capacity of the largest compartment of the transport tank, (usually 4000 gallons). If the tanks are filled by a truck using a hand operated delivery nozzle, there does not need to be any containment area for the delivery truck. Smaller containers can utilize sorbent materials, drip pans or curbing for secondary containment.

There are two Tiers that owners of above ground storage tanks may fall under for developing a written SPCC Plan. Tier I is for storage capacities of more than 1320 gallons but less than 10,000 gallons of total storage and with no single tank larger than 5000 gallons. This program allows owners to write a self certified plan and does not require the use of a Professional Engineer

(PE). However there may be instances where you will be required to use a PE under the Tier I program.

Tier II is for single tanks over 5000 or for total storage capacities of more than 10,000 gallons. These plans require the use of a PE to develop and write the SPCC Plan.

To help assist owners from Minnesota to comply with these rules, the Minnesota Petroleum Marketers Association has contacted a PE who will work directly with the owners to develop the SPCC Plans. For the Tier I plans, the owner can fill out a 1 page questionnaire, send in pictures of the tanks and containment areas and the PE will write the 12 page self certified plan for a base fee of \$300. For Tier II owners the PE will work directly with the owner, visit the site, develop and write the plan. The fee for Tier II plans will vary but is generally \$1200 to \$1500 dollars depending on distance and the number of site visits required.

If you are interested in this service, you may contact the PE directly. His name and contact information is:

Marty Bonnell  
Brams Engineering, LLC  
172 Spruce Drive  
Apple Valley, MN 55124  
952-261-9351 (cell)

I have worked with Marty directly on our bulk plant and found his services to be very helpful. I also have an EPA Fact Sheet and a copy of the Self Certified SPCC Plan Questionnaire that Marty uses for the plans and would be happy to give anyone copies of each upon request. For further information you can visit the recommended EPA web pages below.

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<http://www.epa.gov/emergencies/spcc> or

<http://www.epa.gov/agriculture/agctr.html> or

<http://www.epa.gov/superfund/resources/infocenter>