

A photograph of a space shuttle in orbit above Earth. The shuttle is on the left, with its payload bay open, showing various instruments and equipment. The Earth's surface is visible below, showing a large body of water and some landmasses. The sky is a deep blue.

# Part 5 Rules: “Spillage of Oil and Polluting Materials”

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## Part 5 Rules:

### “Spillage of Oil and Polluting Materials”

#### *History*

- Revised effective August 31, 2001
- Long standing requirement: 1954 first effective



#### *Features*

- Self-implementing
- No discharges authorized = no permits issued
- Secondary containment *is* req'd

## Part 5 Rules:

### “Spillage of Oil and Polluting Materials”



### *Material Types*

- Oils
- Salts
- Other pollutants (~900 chems)

### *Quantities*

- **Threshold Reporting Quantity**

Releases above this quantity must be reported

- **Threshold Mgt. Quantity**

Aggregates above this quantity qualify a location as a “facility”

- Oils

- Petroleum
- Fuel Oil
- Oily sludges
- Oil mixed w waste
- Synthetic oil
- Gasoline
- Grease
- Oil refuse
- Hydraulic oil
- Vegetable oils

- Salts

- sodium chloride
- potassium chloride
- calcium chloride
- magnesium chloride
- solutions or mixtures of these salts

- Other Pollutants

- ~900 chemicals, complete list is in Part 5 Rules specification

## Part 5 Rules:

### “Spillage of Oil and Polluting Materials”



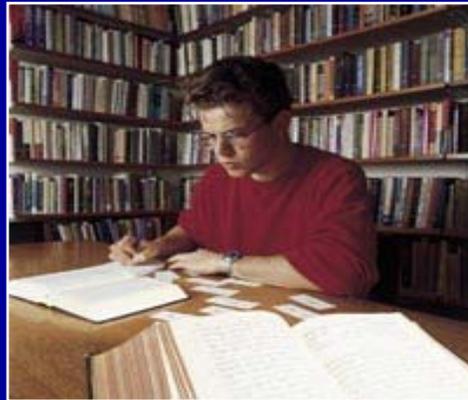
### *911 Reporting*

- Effective 6/15/04, if a release exceeds the TRQ, the release must be reported via 911
- Report to jurisdiction where the release occurred.
- Heavy fines: up to \$25,000USD per day of violation

## Part 5 Rules:

### “Spillage of Oil and Polluting Materials”

Sec 3111b of Part 31 was added to require a facility to call 911 (or their primary public safety answering point) and to **provide a written follow-up report to their local health department** if the facility is subject to release reporting under the Part 5 rules. Also effective June 15, 2004.



## Part 5 Rules:

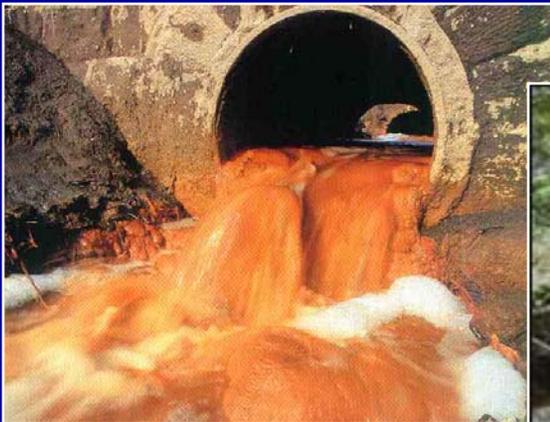
### “Spillage of Oil and Polluting Materials”

#### **Part 5 Rules Structure:**

1. Definitions
2. Definitions
3. Conditional Exemptions
4. Oil storage and on-land facility surveillance
5. Secondary Containment
6. Pollution Incident Prevention Plan
7. Pollution Incident Report
8. Enforcement
9. List of other pollutants (~900 chems)

## Rule 2, Definition of “Release”

“Release” includes spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, disposing, abandonment, or discarding...

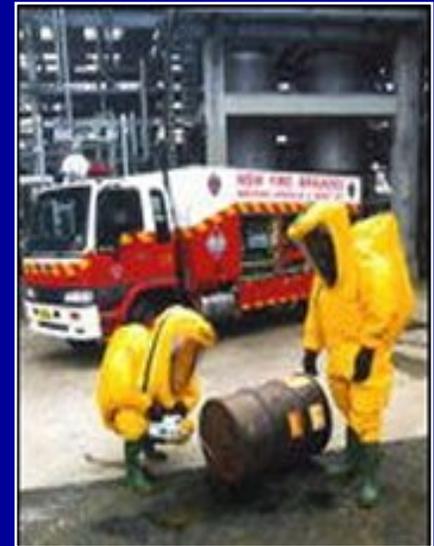


# Rule 2b, Release Reporting Exemptions

Exempt if a pollutant release was contained by **secondary containment** that **complies with rules**

## Conditions:

- release is <1,000 gallons
- cleanup starts within 24 hrs
- cleanup finishes within 72 hrs
- no pollutants reach sewer or state waters



## Rule 2b, Release Reporting Exemptions

### *Oil on ground surface exception*

- release is <55 gallons
- release is detected and recovered within 24 hrs
- oil does not reach sewer or state waters

### *Oil on surface water exception*

- release is <55 gallons
- effective recovery measures are used immediately upon detection



## Rule 2g, Threshold Spec

Reporting is optional if release is less than...

### *Oil*

- 50lbs. on ground surface
- Visible on waterbody (film, foam, deposit)



### *Salt*

- 50lbs. in solid form unless authorized for deicing
- 50 gallons in liquid form, unless authorized for deicing



# Facility Definition

If any of the follow values are met, a location is considered to be a facility

## *Oil Storage Facility*

- 1,320 aggregate gallons **capacity** in above-ground containers, or
- 660 gallons **capacity** in a single container

## *On Land Facility*

- 5 tons of solid salt, or
- 1,000 gallons of liquid salt
- or -
- 440lbs of listed polluting materials **outdoors**, or
- 2,200lbs **indoors**



# Facility Exemptions

## *Oil Storage Exceptions*

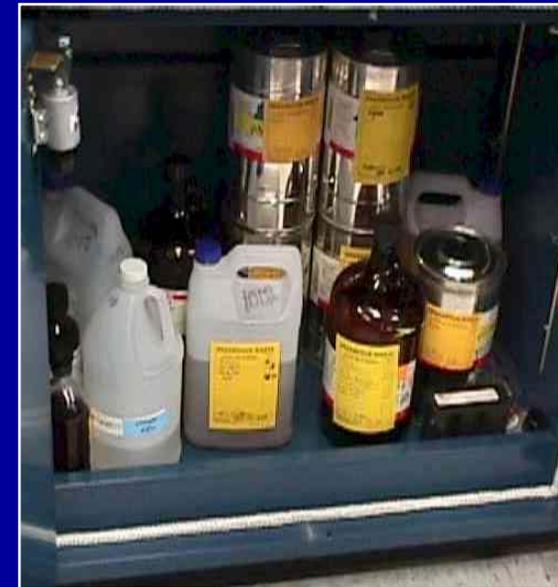
- Oil field, petrol, or brine storage facilities
- Recreational Marinas
- Installations of oil-containing electrical equipment
  - Transformers
  - Capacitors
  - Reclosers
  - Circuit Breakers
  - Voltage Regulators
  - Rectifiers
- Transportation related facilities



# General Facility Exemptions

## *Exceptions*

- Containers <10 gallons or <100lbs, given that they are indoors with safeguards preventing release to state waters
- Containers already regulated by:
  - Federal SPCC rules
  - Michigan Fire Protection Code
  - Underground storage tank reqs
  - Haz. Waste rules
  - Oil/Nat. Gas exploration rules



# Secondary Containment

## *Outside Secondary Containment for Liquids*

- Compatible & Impervious
- either 10% total vol. or 100% of largest container, whichever is greater
- Surveillance
- Leak Detection
- Precipitation Removal



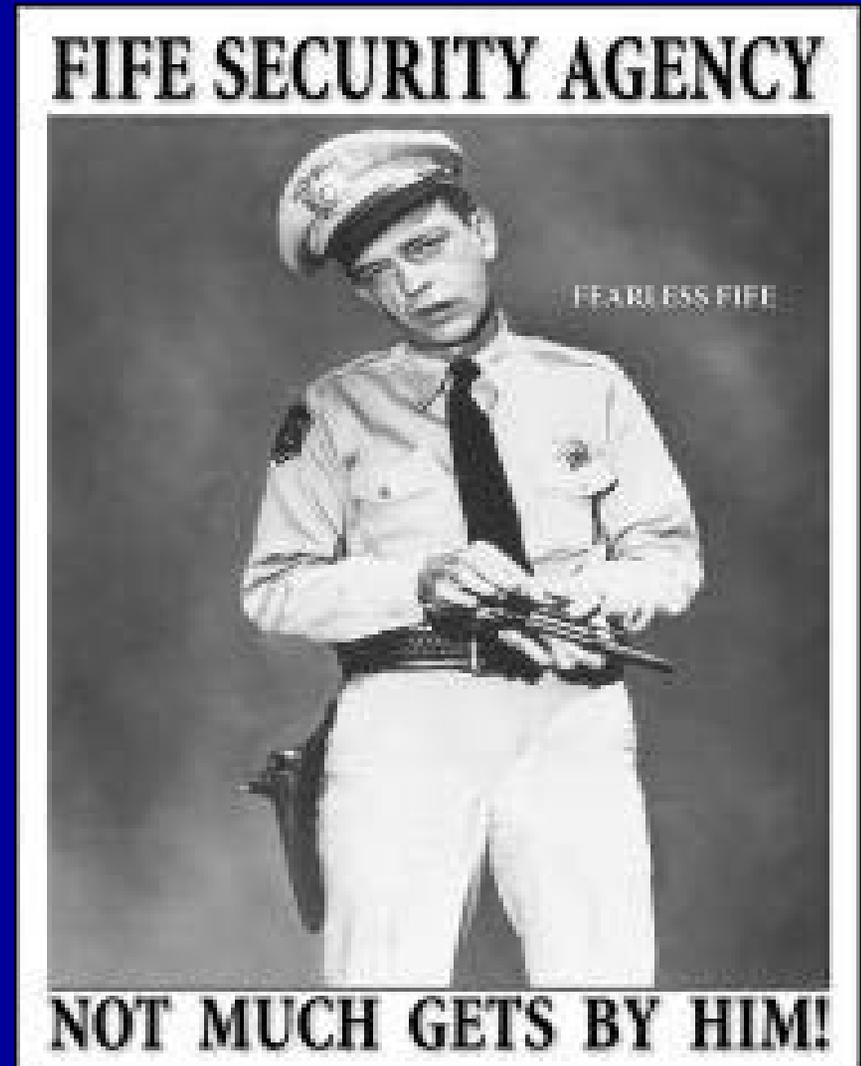
# Solid Material Storage

- Enclosed to prevent run-on, runoff, seepage, or leakage into any state waters or sewer
- Not within 50ft of wetland, shore, lake or stream
- If on 100yr flood plain, containment must be designed to withstand such flood



## Rule 4, Surveillance

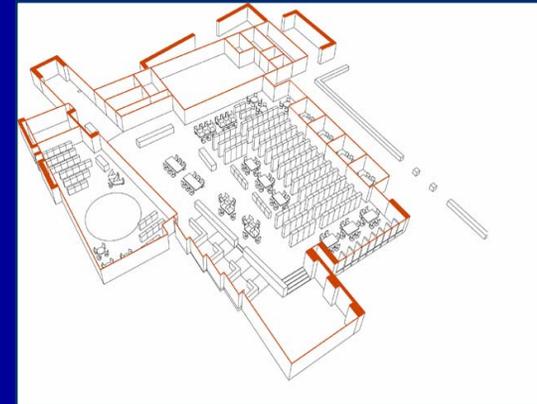
Adequate enough to detect releases and implement procedures to prevent releases to state waters.



# Rule 6, PIPP

## *Req's*

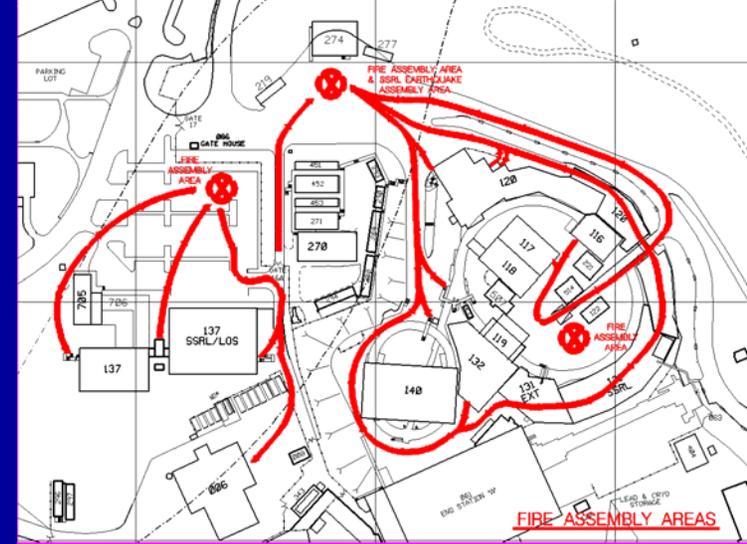
- Keep PIPP on site!
- Notify MDEQ & local health dept of PIPP
- Facility info (site map, location of floor drains, loading areas)
- Emergency notification procedures
- Spill control and cleanup procedures
- Polluting material inventory
- Secondary containment description
- Precipitation management
- Security measures



# Rule 6, PIPP

## *Maintenance*

- Reevaluate PIPP every 3 yrs and whenever used to contain a release
- Update when needed
- Submit notifications to MDEQ and local health dept when PIPP changes
- Provide a copy on request
- After a release, file a report outlining the cause, discovery, and response



# Rule 6: Pollution Incident Prevention Plan (PIPP)

## Features

1. Basic facility info
2. General site map
3. Emergency notification procedures
4. Spill control and cleanup procedures

## Requirements

1. Polluting material inventory
2. Detailed site plan, including floor drains, loading, etc.
3. Secondary containment description
4. Precipitation management
5. Security measures

# PIPP Notification

*Keep PIPP on-site*

1. Send notification of plan completion & certification to MDEQ Water Bureau District Office
2. Send LEPC and Local Health Dept notification of plan completion

# PIPP Review

- Review every 3 years, or upon release requiring implementation of the plan
- Update plan whenever personnel, processes, or procedures change
- Submit renotification and recertification to DEQ
- Provide a copy of the plan within
- 30 days if requested

# Pollution Incident Reporting (Rule 7)

- As soon as practicable after detection of release in excess of a TRQ during any 24-hour period, notify Pollution Emergency Alerting System (PEAS)
- Within 10 days, file written report outlining the cause, discovery and response measures taken

Links to form and release reporting summary table are at [www.michigan.gov/deq](http://www.michigan.gov/deq) under

*“Assistance & Support Services”* >

*“Environmental Reporting”*



# Rule 8: Enforcement

- A person who violates any provision of this part is subject to the procedures and penalties prescribed in sections 3112, 3114, 3115, and 3115a of Part 31 of the act.
- The maximum fine imposed by the court shall be not more than \$25,000.00 per day of violation.



## Table 1: Polluting Materials

<u>Name</u>	<u>CAS</u>	<u>(TRQ - lbs.)</u>
Acetaldehyde, trichloro-	75876	(500)
Acetamide	60355	(10)
Acetic acid	64197	(500)
Acetic anhydride	108247	(500)
Acetone	67641	(500)
Acetonitrile	75058	(500)
...	...	...

# DEQ Staff Contacts

*ESSD*                      **Judy Schaefer**                      517-373-0590

## Water Division Contacts

	<b>Bob Babcock</b>	517-373-8566
<i>Bay City</i>	<b>Gene Suuppi</b>	989-686-8025 ext 8262
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<i>Gaylord</i>	<b>Rick Shoemaker</b>	989-705-3424
<i>Gr. Rapids</i>	<b>Keith Zahn</b>	616-356-0244
<i>Jackson</i>	<b>Greg Merricle</b>	517-780-7841
<i>Kalamazoo</i>	<b>Greg Danneffel</b>	269-567-3575
<i>Lansing</i>	<b>Craig Lapham</b>	517-335-6113
<i>SEMI</i>	<b>Tracy Holbrooks</b>	734-432-1288
<i>UP</i>	<b>Randy Conroy</b>	906-346-8527

# More information about Part 5 Rules:

- [www.mi.gov/deq](http://www.mi.gov/deq)
- Click on “Water” then click on “Emergency Response”

The image shows a screenshot of the Michigan Department of Environmental Quality (DEQ) website. The top navigation bar includes links for Michigan.gov Home, DEQ Home, Online Services, Permits, Programs, Site Map, and Contact DEQ. A search bar is located on the right. The main content area is titled "WATER" and features a sidebar with a list of water-related topics: Biosolids & Industrial Pretreatment, Drinking Water, Emergency Response for Releases to Water, Great Lakes, Groundwater Discharge, Groundwater Modeling, Inland Lakes & Streams, Mosquito Control Projects, Surface Water, Water and Wastewater Security, Water Management, and Water Quality. A red arrow labeled "1" points to the "WATER" header, and another red arrow labeled "2" points to the "Emergency Response for Releases to Water" link in the sidebar. The main content area displays the "Emergency Response for Releases to Water" page, which includes an introduction to the Part 5 Rules, a photo of a spill response, and a list of information packages with PDF links.

**DEQ Department of Environmental Quality**

Michigan.gov Home | DEQ Home | Online Services | Permits | Programs | Site Map | Contact DEQ

Search **GO!** more options

**WATER**

- > Biosolids & Industrial Pretreatment
- > Drinking Water
- > **Emergency Response for Releases to Water**
- > Great Lakes
- > Groundwater Discharge
- > Groundwater Modeling
- > Inland Lakes & Streams
- > Mosquito Control Projects
- > Surface Water
- > Water and Wastewater Security
- > Water Management
- > Water Quality

**Emergency Response for Releases to Water**

Introduction to the Part 5 Rules - Spillage of Oil and Polluting Materials.

The Water Bureau is responsible for implementing the Part 5 Rules - Spillage of Oil and Polluting Materials. The revised Part 5 Rules were made effective August 31, 2001. The Part 5 Rules deal with the storage and release of oil, salt, and polluting materials. Such issues as threshold management quantities, Pollution Incident Prevention Plans (PIPPs), secondary containment, threshold reporting quantities, spill reporting, surveillance of manufacturing processes, treatment systems, and storage areas are described. The entire Part 5 Rules can be downloaded from this web page under "Downloads".

**Information**

- [Part 5 Rules, Spillage of Oil and Polluting Materials, Operational Guidance \(POG\) #1: railcars and trucks](#) **PDF**
- [Part 5 Rules, Spillage of Oil and Polluting Materials, Operational Guidance \(POG\) #2: oil](#) **PDF**
- [Spill Response and Water Emergency Release Information](#)
- [Emergency Response Photo Gallery](#)
- [Part 5 Rules Information Package: summary of changes, facilities subject to the rules,](#)

**More State Web Sites**

- [DEQ Quick Links](#)
- [DEQ Training & Workshops](#)