

## **LESSEE ADVISORY**

**April 2022**

### **Environmental Response and Leaking Equipment or Cargo**

#### **I. Statement of Purpose**

The Maryland Department of Transportation Maryland Port Administration (MPA) is committed to protection of the environment through compliance with all laws and regulations; continuous improvement of its environmental performance; pollution prevention; and effective outreach to its employees, the community, and port users.

#### **II. Background**

Considering the importance of protecting the environment, all port users must be aware that their activities do have an impact on the environment and that all of us are responsible for eliminating these impacts.

A recent situation shows why it is important for all members of the port community to take responsibility for the protection of our environment which ultimately affects the Chesapeake Bay. The situation involved a leaking piece of cargo that was delivered to the marine terminal. The leaking cargo was left on the terminal, and no steps or actions were taken to stop or control the leak, nor was there any notification to the proper authorities. As a result of this failure to take the proper actions, motor oil leaked onto the ground and entered the storm drain.

#### **III. Advisory Statement**

To prevent this situation from occurring in the future, the following must occur.

- A. The shipper (owner) of cargo should ensure that its cargo is clean, in good condition, and properly packaged and secured, including no leaks of any type. If cargo is not in this condition, it should be repaired or corrected prior to shipping and/or delivery to the terminals.
- B. Trucker should survey cargo, prior to moving, for its overall condition and for any leaks. If it is leaking oil, antifreeze, etc., **DO NOT MOVE THE CARGO OR ATTEMPT DELIVERY** until the situation is corrected.

- C. Should leaking cargo be observed, the truck and cargo must be stopped and secured immediately. The truck driver **MUST** remain with the truck and cargo. **DO NOT MOVE THE CARGO AND IMMEDIATELY NOTIFY the MDTA Police (410-537-7911) and MPA Operations (410-633-1077).**
- D. The responsible party (RP), person or entity that has care, custody, and control of the cargo or equipment, must immediately begin actions to control the situation. If the RP is not responding adequately or timely, the tenant, terminal operator, or other party, including the MPA, must respond to mitigate the situation. All costs associated with the mitigation are the responsibility of the RP.
- E. All spills must be reported to MDTA Police 410-537-7911, MPA Operations 410-633-1077 and the MPA Environmental Department 410-633-1142. The RP must also notify the Maryland Department of the Environment, 1-866-633-4686, and the National Response Center, 1-800-424-8802.