



Massachusetts  
Department  
of  
ENVIRONMENTAL  
PROTECTION

# fact sheet

## Managing spills of oil and hazardous materials

### Information for municipalities

#### Purpose

Oil or chemical spill responses are local events. Because timely action is critical to the success of any cleanup, the Massachusetts Department of Environmental Protection (MassDEP) has prepared this guide to help municipal officials:

- Take defensive action at all spills to identify receptors and limit/contain the release
- After relevant training, take proactive actions to control and clean up spills of limited scope
- Provide support, in accordance with the Incident Management System, to the Fire Department, which normally is the lead agency in spill response situations
- Determine when MassDEP or a Licensed Site Professional (LSP) needs to lead a cleanup
- Represent the municipality's interests in cleanup decisions

#### Who must clean up a spill?

The primary responsibility for hiring contractors for on-site cleanup and disposal of waste materials, including all associated costs, rests with the person or party that causes or contributes to the release and/or with the owner of the property where it happens. They are collectively referred to as Potentially Responsible Parties (PRPs).<sup>1</sup>



*Methuen Fire Department response to liquid asphalt spill. Photo by Steven Ross, MassDEP.*

<sup>1</sup> M.G.L. Chapter 21E (the Massachusetts Oil and Hazardous Material Release Prevention Act) and 310 CMR 40.0000 (the Massachusetts Contingency Plan, or MCP) spell out the procedures and requirements for release notification, spill response and the cleanup standards that must be met.

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Environmental Protection  
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Boston, MA 02108-4746

Commonwealth of Massachusetts  
Mitt Romney, Governor  
Kerry Healey, Lt. Governor

Executive Office of  
Environmental Affairs  
Stephen R. Pritchard, Secretary

Department of  
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Coordinator at  
(617) 56-1057.



## Does the size, type, or location of a spill make a difference?

Yes. Depending on the size and type of spill, MassDEP and other local, state, and federal agencies may have a role in spill response. The PRP must report spills to MassDEP if they exceed specific thresholds. Some releases are exempt from reporting requirements under the MCP. These are spills that involve:

- less than 10 gallons of petroleum and which does not impact a waterbody
- less than one pound of hazardous chemicals and which does not pose an imminent hazard
- fuel from passenger vehicle accidents or
- a vault or building with a watertight floor and with walls that completely contain all released chemicals

Regardless of whether MassDEP notification is required, all spills of oil and hazardous materials must be cleaned up to the extent that no risk to human health is present.

## Who responds to oil and hazardous material releases of a limited scope?

The fire department normally responds to spills, initiates containment, and usually directs cleanup of spills of limited scope, i.e. those that do not trigger MassDEP reporting thresholds. When the PRP is unable or unwilling to take responsibility, the fire department may also arrange for cleanup, either by hiring an outside contractor or by using in-house resources. The municipal public works department or other local agencies sometimes provide support. MassDEP generally does not respond to non-reportable releases or those of limited scope, but will be available for technical support. MassDEP will always respond to larger and more complicated spills with potential for posing imminent health, safety, or environmental hazards. MassDEP also attempts to respond to releases where public safety officials request assistance in directing the cleanup.

## What specific roles do local officials play?

First responders to a spill are usually equipped to take some action to contain it. Containment is critical to protecting resources at risk. For example, the fire department might take measures to stop the flow or contain the release with absorbents, while public works personnel deliver and spread sand, pick up debris, and provide street drainage maps to aid in the spill investigation. Some municipalities have one or more environmental cleanup firm on retainer to help deal with responses to spills of limited scope.

When PRPs are unable or unwilling to respond, a statewide comprehensive "Hazardous Materials and Medical Waste Collection and Disposal" (FAC36) contract can be used by towns, cities, and state agencies to hire cleanup companies. The contract also provides for emergency response preparedness training for government workers. The contract establishes "Not to Exceed" rates for labor, transportation, and oil and hazardous materials disposal. Information about the Comm-PASS contract may be found at the web site of the Massachusetts Operational Services Division at [www.mass.gov/osd](http://www.mass.gov/osd).

## What training is necessary for cleanup workers?

Because of their roles as first responders and the associated risks of direct exposure to hazardous chemicals, fire department personnel typically undergo training to deal with petroleum and chemical releases, as described in OSHA 1910.120. The International Association of Fire Fighters and the Massachusetts Firefighting Academy offer training programs.

Basic awareness training is highly recommended for staff from other municipal agencies who may be at less risk of direct exposure but still play critical support roles.

## How do wastes from spill cleanups need to be handled?

Sand and absorbents contaminated with petroleum can be reused, disposed, or otherwise handled as described in MassDEP policy WSC-94-400, Interim Remediation Waste Management Policy for Petroleum Contaminated Soils, [www.mass.gov/dep/images/wsc94400.pdf](http://www.mass.gov/dep/images/wsc94400.pdf). But sand and absorbents that are saturated

with petroleum products or by other hazardous chemicals may need special handling (disposal) by licensed transporters. Depending on the size and severity of a spill, a Licensed Site Professional (LSP) may also need to be hired to oversee the cleanup and sign-off on the disposal. MassDEP requires municipalities to properly manage and store small quantities of hazardous materials from spill cleanups. If storage that is consistent with MassDEP guidelines is not possible, an environmental waste removal firm should be hired to remove the material.

#### Contacting MassDEP Regional Offices:

Northeast Regional Office – 205B Lowell Street, Wilmington, Massachusetts 01887

<http://www.mass.gov/dep/about/region/northeast.htm> (978) 694-3200

Southeast Regional Office - 20 Riverside Dr., Lakeville, MA 02347

<http://www.mass.gov/dep/about/region/southeast.htm> (508) 946-2700

Central Regional Office - 627 Main St., Worcester, MA 01608

<http://www.mass.gov/dep/about/region/central.htm> (508) 792-7650

Western Regional Office - 436 Dwight St., Springfield, MA 01103

<http://www.mass.gov/dep/about/region/western.htm> (413) 784-1100

Visit <http://www.mass.gov/dep/about/region/findyour.htm> to determine which MassDEP regional office serves your community.

#### For more information:

- If you have questions, please email MassDEP at [BWSC.Information@state.ma.us](mailto:BWSC.Information@state.ma.us).
- For copies of MassDEP regulations, policies, and other publications, visit: <http://www.mass.gov/dep/bwsc/pubs.htm>

#### Related regulations and guidance documents:

- Interim Remediation Waste Management Policy for Petroleum Contaminated Soil, WSC-94-400, [www.mass.gov/dep/images/wsc94400.pdf](http://www.mass.gov/dep/images/wsc94400.pdf)
- Reuse and Disposal of Contaminated Soil at Massachusetts Landfills, COMM-97-001, <http://www.mass.gov/dep/recycle/laws/97-001.htm>
- Characteristics of Hazardous Waste, 310 CMR 30.120, <http://www.mass.gov/dep/service/regulations/310cmr30.pdf>
- A Summary of Requirements for Small Quantity Generators, <http://www.mass.gov/dep/recycle/laws/sqgsum.pdf>

#### MassDEP Telephone numbers:

- Hazardous Waste Compliance Assistance Line – (617) 292-5898
- Household Hazardous Products Hotline – (800) 343-3420

#### Above ground or underground storage tanks:

Call the local fire department or the Massachusetts Department of Fire Services at (978) 567-3100 or 413-587-3181.

#### LSP information:

Visit the LSP Board's web page at <http://www.mass.gov/lsp> or call (617) 556-1091.

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## MassDEP 24-hour Spill Reporting

### To report a release of oil or hazardous materials, and other environmental emergencies, call the MassDEP 24-hour notification line toll-free at

# (888) 304-1133

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