



MINNESOTA DEPARTMENT OF TRANSPORTATION  
Engineering Services Division  
Technical Memorandum No. 11-10-M-02  
April 20, 2011

**To:** Electronic Distribution Recipients  
**From:** Bernard J. Arseneau, P.E., PTOE  
Deputy Commissioner/Chief Engineer  
**Subject:** Roadway Incident Procedure  
Vehicle Fluid and Cargo Spill Response

### Expiration

This new Technical Memorandum replaces Maintenance Bulletin 97-1 and Mn/DOT Policy Guideline, Multimodal No. 89-1-G-1 and shall remain in effect until April 20, 2016 unless superseded prior to that date or incorporated into the Mn/DOT Maintenance Manual.

### Implementation

The guidelines in the Technical Memo shall be used immediately.

### Introduction

Mn/DOT personnel frequently respond to incidences where motor vehicle fluid and/or cargo spills have occurred. At these scenes, vehicle fluids and fuels such as antifreeze, gasoline and/or diesel fuel may be found on the roadway or its shoulder. Ignition of vehicle fuels could prevent rescue and cause severe burns or fatalities. Roadway lanes remain closed until vehicle fluid spills are remediated, impeding the flow of traffic. Unrecovered spills will contaminate Mn/DOT right of way.

This procedure provides guidance for responding quickly to vehicle fluid spills and loss of cargo in order to protect motorist safety, minimize impacts to the environment, ensure proper cleanup and open the roadway to travel. This procedure should be used in conjunction with the State of Minnesota "Open Roads Policy" which is an agreement between the Minnesota State Patrol and Mn/DOT for quick clearance of the state highway system and the Minnesota "Quick Clearance Statute" found in [Minn.Stat. §168B.035, Subd. 4.](#)

Mn/DOT personnel may discover abandoned containers on roadway right of way where no motor vehicle incident has occurred. Proper management of abandoned containers is described in Mn/DOT Technical Memorandum No. 10-08-ENV-02.

Mn/DOT response to spills and abandoned containers may differ from procedures described in this document when the incident occurs on state highways located within tribal reservation boundaries. Consult with the Mn/DOT Office of Environmental Services to determine proper, current procedures for responding to incidents within tribal reservations.

### Purpose

The intent of this procedure is to provide guidance for Mn/DOT employees responding to roadway incidents on how to properly and safely handle materials in order to open roadways for traffic. This procedure should be applied to spills at traffic incidents where there is an identified responsible party(ies) who will be responsible for all costs associated with the incident or spills. This procedure may also be applied to spills where no responsible party can be identified, likely resulting in Mn/DOT absorbing the cost of cleanup unless another funding source can be identified.

Appropriate spill response actions are determined by considering factors such as the spill location, weather conditions and volume and composition of the spilled substance. This procedure establishes communication protocol necessary to make response action determinations.

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## Guidelines

### General Requirements

Emergency response contractors will complete removal of hazardous materials and any other materials that have been determined not safe for Mn/DOT personnel to handle. Emergency response contractors may be brought to the scene by Mn/DOT personnel, the Minnesota Pollution Control Agency on-call person (MPCA), Minnesota Department of Agriculture on-call person (MDA), other incident responders or a party responsible for the incident (*see Retaining an Emergency Response Contractor*). Mn/DOT personnel may handle the following materials to open the roadway to traffic:

- motor vehicle fluids, which include gasoline, diesel fuel, hydraulic fluid, transmission fluid, engine oil and coolant.
- intact cargo containers that do not contain hazardous or otherwise dangerous materials.
- ruptured containers or packages and associated released contents that are not hazardous and determined not to be dangerous because of the material content or volume released.

Mn/DOT shall not handle any of the following items under any circumstance:

- intact or ruptured cargo containers or packages of hazardous materials or materials determined to be dangerous.
- Mn/DOT personnel shall not perform removal or cleanup of released material along the roadway that is not obstructing travel. Cleanup of this material will be completed by a contractor (*see Retaining an Emergency Response Contractor*). Mn/DOT personnel should monitor the cleanup operation to ensure that department requirements are met (*see Cleanup off the Traveled Portion of Roadway*).

Spilled fluids recovered with sorbent and cargo removed from the traveled roadway will be stored in the right of way in the proximity of the incident and not brought back to any Mn/DOT facility, except under extreme circumstances (*see Roadway Clearance*). A contractor will remove and manage final disposition of the waste material (*see Retaining an Emergency Response Contractor*).

### Mn/DOT Personnel Requirements

#### Training

- Mn/DOT employees responding to incidents covered by this policy must receive Mn/DOT's annual Right-To-Know training that includes instruction in how to manage spilled vehicle fluids and recognize hazardous or dangerous materials.

#### Safety

- Personnel will use required personal protective equipment
- Safe work practices will be followed during assessment of the incident scene and application of containment materials.
- Proper personal hygiene practices and decontamination procedures will be followed after exposure to spilled substances.

### Response Procedure

#### Arriving at the Incident

When Mn/DOT is the first to arrive at a vehicle incident, the employee will evaluate the situation, notify the Dispatcher or other personnel designated by the district office and request the following as needed:

- State Patrol, local police or other emergency services personnel
- Subarea Supervisor
- Additional traffic control
- District Safety Administrator
- Trained Mn/DOT personnel, if not already on site, for containment of vehicle fluid spills and cargo removal (*see Roadway Clearance*)

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If the evaluation determines that hazardous materials are present at the scene or the situation is dangerous because of the material content or volume released, an emergency response contractor must perform all operations to open the travel lanes:

- The emergency response contractor will be retained by Mn/DOT, MPCA, MDA, another incident responder or the responsible party to assume complete control and cleanup responsibilities (*see Retaining an Emergency Response Contractor*). Mn/DOT personnel are then relieved of all work involving cleanup of the spilled materials in the travel lanes.
- Mn/DOT personnel should continue to monitor the incident response and provide traffic control until the incident response is complete.

When Mn/DOT is called to a motor vehicle accident scene:

- Determine the appropriate amount of sorbent or containment products that are needed for containment of fluid spills (*see Roadway Clearance*).

#### Roadway Clearance

The following procedure should be followed when Mn/DOT personnel complete actions to open the roadway or until such time when Mn/DOT is relieved by an emergency response contractor:

##### Fluid Spills

- If needed deploy necessary traffic control
- Ensure that the appropriate Maintenance subarea supervisor has been notified
- Inform Dispatch or other personnel designated by the district office of identity of responsible party or parties for the accident.
- Ensure that the Duty Officer has been notified at 1-800-422-0798 or 651-649-5451 in the Twin Cities Metro Area.
- If there is a motor vehicle fluid spill, assess the spill to determine the types and amount of fluid spilled and determine safety precautions needed.
  - Determine a safe working distance in relation to motor vehicle fluid type, quantity of the spill and presence of nearby sources of ignition.
  - Use appropriate type and amount of sorbent and containment products to safely and effectively absorb and contain spilled vehicle fluids
- Only trained personnel shall contain vehicle fluid spills and move nonhazardous cargo containers (*see Mn/DOT Personnel Requirements*).
- The contained fluids or contaminated sorbent materials shall be removed from the traveled portion of the roadway and relocated to a safe location on site for pickup by responsible party or their agent.
- The contaminated materials shall be protected from the elements and marked with traffic cones.
- Contaminated material, including soil, sand and sorbents must not be thinspread anywhere on the highway right of way or brought to any Mn/DOT facility/site for storage. Possible exceptions to bringing contaminated material to a Mn/DOT facility for storage prior to disposal are:
  - extreme weather conditions that prevent storing at the incident scene or
  - incidents in urban areas where nearby storage space is not available.
- Monitor the situation and apply additional sorbent and/or containment products as necessary.
- If not picked up in a timely manner, the contaminated materials shall be protected from the elements and if necessary, marked with traffic cones.

##### Cargo

- If cargo has been released from a vehicle(s), take appropriate action as follows:
  - Do not handle cargo that contains hazardous or dangerous material. Notify the dispatcher or other personnel designated by the district office that an emergency response contractor is needed to handle the cargo.
  - Ensure that the Duty Officer has been notified of any release of hazardous

material cargo at 1-800-422-0798 or 651-649-5451 in the Twin Cities Metro Area.

- Remove the following cargo from the traveled portion of the roadway (per Open Roads policy) and relocate to a safe location near the incident scene for pickup by responsible party or their agent:
  - Intact cargo that does not contain hazardous or dangerous material.
  - Ruptured containers and associated contents that are not hazardous or otherwise dangerous.

#### Retaining an Emergency Response Contractor

An emergency response contractor shall be retained to complete removal of hazardous materials and any other materials that have been determined not safe for Mn/DOT personnel to handle. Emergency response contractors may be brought to the scene by Mn/DOT personnel, the Minnesota Pollution Control Agency on-call person (MPCA), Minnesota Department of Agriculture on-call person (MDA), other incident responders or a party responsible for the incident. In general, the MPCA will retain a contractor to respond to large petroleum spills and any spills or cargo involving hazardous materials. The following steps should be taken to determine who will retain the emergency response contractor:

- Provide the state duty officer with contact information of a Mn/DOT person at the scene who can help coordinate the contractor response.
- The Mn/DOT contact person should request that the state duty officer connect him/her with the MPCA on-call person in order to determine who will mobilize the contractor or other emergency response team.

#### Cost Reimbursement

Mn/DOT's costs incurred for cleanup, disposal, repair and all associated costs in responding to the incident will be compiled by the maintenance area involved and billed to the responsible party or the responsible party's insurance carrier. Record the following information to enable Mn/DOT's effort to recover incident response costs:

- The State Patrol event number and yellow tag number if issued.
- The company name and US DOT number of any commercial vehicle operators involved in the incident.

#### Cleanup off the Traveled Portion of Roadway

Any contaminated soil and/or surface water on highway right of way must be cleaned up in accordance with Mn/DOT Office of Environmental Services procedure (available from OES or District Permits Office). If right of way cleanup cannot be completed at the time of the incident, a permit must be obtained from the local Mn/DOT Permit's Office prior to initiating work. Utility clearance through Gopher State One Call must be completed before any excavation of contaminated soil can take place. Cost to complete the cleanup and dispose of the contaminated soil should be at the expense of the responsible party or parties.

#### **Questions**

For information on the technical contents of this memorandum, please contact **Brian Kamnikar** at **(651) 366-3617**.

Any questions regarding publication of this Technical Memorandum should be referred to the Design Standards unit. [DesignStandards.DOT@state.mn.us](mailto:DesignStandards.DOT@state.mn.us). A link to all active and historical Technical Memoranda can be found at <http://techmemos.dot.state.mn.us/techmemo.aspx>.

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#### **Attachments:**

Roadway Incident Scene Response Procedure flowchart

# Roadway Incident Scene Response Procedure

