

# Port Sector Compliance Assistance for Marine Terminal Operations

Seaports, specifically marine terminal operators, face a unique environmental compliance situation. Marine terminal operators have a significant effect on environmental quality because they conduct every day operations on port property including vehicle and equipment maintenance, break bulk, fueling, chemical handling and storage. Understanding how the activities conducted on marine terminals and at the facilities that support them impact the environment and what laws and jurisdictions govern those activities are critical first steps in developing an effective risk management approach. This knowledge will allow the application of proven best management practices to ensure strong management and control of an operator's environmental impacts.

## Business Drivers and Benefits of Compliance

Improving compliance with legislative and regulatory requirements can reduce penalties and remediation costs - potentially saving thousands.

It also results in:

- Better understanding of laws, regulations, and overlapping jurisdictions
- Better relationships with regulators
- Enhanced credibility and public image
- Better awareness and understanding of an organization's environmental "footprint"
- Lower environmental liability and improved insurance coverage
- Better operational control, efficiency, and well-defined roles, responsibility, and accountability
- Improved systematic framework for managing environmental responsibilities, reducing environmental risks, improving the environment, and improving the bottom line
- Compliance incentives

*"Compliance increases what we can control and decreases risk of potential future litigation. Internally the Compliance Audit has helped to disperse environmental responsibility and awareness throughout our organization and identified the need for succession planning."*

*- Port of Vancouver*



**Compliance incentives** are a set of policies and programs that eliminate, reduce, or waive penalties under certain conditions for business, industry, and government facilities which voluntarily discover, promptly disclose, correct noncompliance, and prevent future environmental violations. EPA offers marine terminal operators and their supporting facilities additional information about these incentives, self-disclosure programs, and related tools such as environmental audit protocols, other innovation projects and programs and the environmental benefits achieved by such programs.

## A Model for Better Compliance at Marine Terminal Operations

- Assess your operations - how do they impact the environment?
- What laws, regulations, and jurisdictions govern these operations?
- What are you currently doing to manage and control your operations? Is it sufficient? Efficient? Effective?
- What are some proven BMPs that others have used successfully? Do you need to tweak what you are doing?
- Where can you find more information?

## Tools to Ensure Strong Compliance

***Compliance Audit*** - An environmental compliance audit offers a unique opportunity to assess the compliance status of marine terminals and their ancillary operations. It is a management tool to provide a “snapshot” of an operation’s compliance with federal, state, and local environmental laws and regulations, an important tool as several jurisdictions may share responsibility for laws. The compliance audit can be as broad or as narrow as is warranted by the operator’s goals. It can be limited to a single operation or compliance with specific regulatory programs, such as air pollution or water pollution control programs, or it can be a port complex-wide multimedia audit. The audit forms the foundation for an overall environmental compliance program, allowing facilities on a port complex the opportunity to develop specific programs or procedures designed to eliminate potential impacts from operations.

***Establish an Environmental Database*** - One of the most important methods to maintain long-term compliance at a facility is through the development and constant maintenance of an environmental database. With recent advances in low-cost, highly sophisticated and easy-to-use databases, it is possible to track chemicals stored on-site, permit conditions, registrations, monitoring data, results of compliance audits and many other elements of an environmental program. This database, in turn, allows marine terminal operators and their supporting facilities to track carefully the history of environmental compliance, improve programs and reduce risk.

*“The compliance system is designed to find problem areas, in advance, and deal with them. We have identified all the laws and regulations we are required to comply with, make sure we are complying with those laws, and document our effort so we can prove it to anyone concerned. This will help the district stay ahead of the curve on environmental concerns, save money on hazardous waste removal costs and spill clean ups, and result in less down time for equipment.*

*This should make the district a leader in the environmental world and a good neighbor.”*

- Corp of Engineers, Portland District

## Compliance Assistance Online Resources

AAPA Environmental  
Management Handbook  
<http://www.aapa-ports.org/Issues/content.cfm?ItemNumber=989>

EPA Compliance Assistance  
<http://www.epa.gov/oecaerth/assistance/index.html>

National Environmental  
Compliance Assistance  
Clearinghouse  
<http://cfpub1.epa.gov/clearinghouse/index.cfm>

Maryland Department of  
Environment, Enforcement and  
Compliance  
<http://www.mde.state.md.us/AboutMDE/enfcomp.asp>

### For More Information Contact

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