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PRESS RELEASE

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Maryland Enters into Consent Decree with ABF Freight System to Resolve Allegations of Clean Water Act Violations

BALTIMORE, MD (March 20, 2023) – Maryland Attorney General Anthony G. Brown today, in partnership with the Maryland Department of the Environment, announced a proposed settlement (consent decree) has been reached with freight carrier ABF Freight System, Inc. to resolve allegations that it violated requirements of the Clean Water Act (CWA) relating to industrial stormwater at locations across the country, including one located in Elkridge, Maryland.

The complaint against ABF, filed along with the proposed consent decree, alleges that it failed to comply with certain conditions of its CWA permits, such as spills that had not been cleaned up, failure to implement required spill prevention measures, failure to implement measures to minimize contamination of stormwater runoff, failure to conduct monitoring of stormwater discharges as required, and failure to provide all required training to ABF’s employees. In addition to Maryland, the U.S. Department of Justice, the State of Nevada, and the Louisiana Department of Environmental Quality joined the proposed consent decree.

Under the proposed consent decree, ABF will enhance and implement a comprehensive, corporate-wide stormwater compliance program at all its transportation facilities except those located in the state of Washington, and will pay a civil penalty, a portion of which will be directed to Maryland.

“In the communities adjacent to industrial facilities, even a small amount of stormwater runoff can be dangerous for public health and the environment. We must enforce effective stormwater runoff management to reduce pollutants in these areas,” said Attorney General Brown. “We are pleased that this settlement, if approved, will help prevent contamination by establishing a program ensuring ABF Freight abides by the Clean Water Act.”

Stormwater runoff from industrial facilities can pick up pollutants like trash, chemicals, oils, and sediment that can harm waters throughout the country. Pollutants in stormwater can affect waterways and local plants and animals, increase flooding, decrease aquatic biological diversity, and increase sedimentation and erosion.

The consent decree, filed in the U.S. District Court for the Western District of Arkansas, is subject to a 30-day federal public comment period and approval by the federal court. It can be viewed at www.justice.gov/enrd/consent-decrees.

<https://www.marylandattorneygeneral.gov/press/2023/032023.pdf>