PESTICIDE HANDLING & DISCHARGE RESPONSE PLAN
COMMERCIAL APPLICATORS

WHEN DEALING WITH SPILLS, REMEMBER…

Safety First:
Control, Contain, Cleanup

When an incident results in a pesticide/fertilizer release of any amount, notify Emergency Management, South Dakota Department of Agriculture (SDDA), and South Dakota Department of Environment & Natural Resources (DENR) immediately upon gaining control of the spill. These agencies provide assistance and guidance regarding proper procedure, based upon the amount and substance type involved.

Whenever possible, spilled material should be used as originally intended. When reuse, according to the product label, is not possible either because of excessive contamination or cross-contamination with an incompatible material, the material must be disposed of in accordance with the SDDA requirements. Depending upon the chemical involved, disposal may be a local landfill permitted to accept the material, a hazardous waste landfill, or land application of the contaminated soil.

Do not begin use/disposal of spilled or contaminated material until the SDDA has granted approval.

LOCATION OF PLAN COPIES

Location	Contact Person	Phone

PLAN MUST BE KEPT CURRENT, LAST UPDATE:

Date	Pages		Date	Pages		Date	Pages

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1. EMERGENCY RESPONSE LIST

FACILITY PERSONNEL EMERGENCY RESPONSE LIST

- If facility is required to submit Section 302 Report under SARA Title III, the Facility Emergency Coordinator designated therein should be listed first.

Name	Role in event of an incident	Phone	Address

EMERGENCY ASSISTANCE

Name	Contact	Phone
Fire Department		
Police		
Sheriff's Department		
Ambulance		
State Patrol		
Hospital		
Doctor		
Emergency Contractor (Excavation, Crane, Etc.)		

REPORT AGRICULTURAL CHEMICAL INCIDENTS TO:

- Emergency Management Services 605.773.3231 (24-hour hotline)
- South Dakota Department of Agriculture 605.773.4432
- Department of Environment & Natural Resources 605.773.3153
- National Response Center – Federal 800.424.8802
- CHEMTREC 800.424.9300
- Poison Control Center 800.POISON1 (SD)
  800.843.0505 (IA, MN, NE)

- Utilities
  - Buried Utilities Telephone Company _____
  - Buried Utilities Cable Company _____
  - Buried Utilities Gas Company _____
  - City Water System _____
  - Rural Water System _____
  - Other: _____ _____

- Note:
  - National Response Center number must be called if a spill above the reportable quantity occurs.
  - CHEMTREC and Poison Control Center numbers provided for informational purposes only.
  - Contact the Local Emergency Response Planning Committee (LEPC) to ensure your plan in compatible with their local emergency response plan and in compliance with the Superfund Amendments & Reauthorization Act of 1986 (SARA) and Comprehensive Emergency Response, Compensation, & Liability act of 1980 (CERCLA) regulations.
  - There may be other federal, state, and local agencies that need to be contacted. Become familiar with all contacts in your area and record their numbers in this section.

2. PRODUCT LABELS

Insert labels for all pesticide and fertilizer products handled or stored at the facility.

3. PRODUCT MATERIAL SAFETY DATA SHEETS (MSDS)

Insert pesticide and fertilizer product material safety data sheets. (optional)

4. FIRST AID INFORMATION

Refer to product label and MSDS on previous pages for first aid instructions. If in doubt about nature of material, seek medical attention immediately.

NOTE: If you seek medical attention, take label(s) and MSDS.

SYMPTOMS OF PESTICIDE POISONING MAY INCLUDE:

Headache	Dizziness	Weakness
Lack of Coordination	Muscle Twitching	Tremors
Nausea	Abdominal Cramps	Diarrhea
Profuse Sweating		Blurred Vision

LOCATION OF:

First Aid Kit:	Eye Washer:
Oxygen:	Other:

5. FIRE FIGHTING PROCEDURES

Information regarding fire fighting procedures is not required to be provided to the SDDA and is included for informational purposes only.

PREFIRE PLANNING

1) The facility should be familiar with what the local fire department is willing and able to do in response to an incident at the facility.
2) The local fire department should visit the facility at least annually. They should be thoroughly familiar with:
   a) Locations of hydrants and other water sources;
   b) Location of normal and alternate access roads, gates, fences, etc.;
   c) Surrounding building occupancies and land use;
   d) Precautions and tactics for fighting garden/agricultural chemical fires;
   e) Day and night telephone numbers of the facility operators, physician familiar with products, and manufacturers of products;
   f) Means of controlling drainage at and adjacent to the facility;
   g) Symptoms of pesticide and fertilizer poisoning;
   h) What to do in case of contact with toxic chemicals;
   i) Use of self-contained breathing apparatus (Air Paks);
   j) Means of ventilating warehouses.

GENERAL RULES TO FOLLOW IN CASE OF FIRE

1) Call the fire department and clear all personnel from the building/area to a safe distance upwind from smoke and fumes. Isolate the area, if necessary.
   a) Have plan of burning facility and its contents ready for fire team when they arrive.
   b) Pay special attention to the location of particularly hazardous chemicals and containers.
   c) Clarify a water use strategy. How much, if any, water will be used? Where will it be used? How much, if any, diking will be necessary to contain this water? What material will be used to form a dike?
   d) Provide labels and material safety data sheets (MSDS).

POST FIRE CLEANUP

1) Isolate and secure scene to keep people away as waste and run-off may be toxic.
2) Contact the SDDA for review and approval of contaminated material disposal plan.
3) Handle waste and run-off the same as for a product spill.

IMPORTANT NOTES:

- If the employer's own employees:
  - Will be involved in firefighting activities, training according to 29 CFR 1910.156 must be provided.
  - Are to evacuate and call the fire department or other responders, employee training should cover evacuation and fire department notification procedures.
- Under post-fire cleanup, people involved should be apprised of the proper personal protective equipment to be worn during the cleanup process (i.e. in some instances, respirators may be necessary).
- Should this facility become involved in a fire, the commanding fire office at the scene should be in a position to let the facility burn if he determines that continued water application:
  - Will result in extensive contaminated water run-off; or
  - Could result in incomplete combustion into the air.
  - It would be desirable if he had advance written authority from the Facility Manager to do so if necessary or appropriate. This should be discussed with insurers of the establishment.

I hereby authorize the Fire Department to make necessary decisions in handling any fire at the facilities covered by this document.

Signed: _____ Date: _____
Authorized Facility Representative

Signed: _____ Date: _____
Authorized Facility Representative

Signed: _____ Date: _____
Authorized Facility Representative

6. MAPS

MAP OF FACILITY

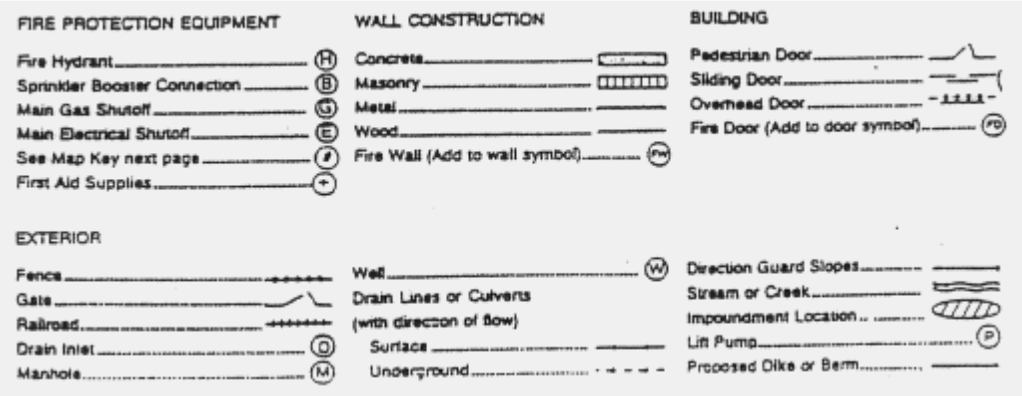
1) Accurately diagram the:
   a) Current facility property (if previously established);
   b) The proposed facility property (if new).
2) Indicate the following areas on the map:
   a) All buildings (indicate distance between buildings);
   b) All pesticide/fertilizer/anhydrous ammonia bulk tank storage areas and all non-bulk (packaged goods) pesticide/fertilizer storage area;
   c) All pesticide/fertilizer mixing, loading, and rinsate recycling areas;
   d) All pesticide/fertilizer vehicle parking and washing areas;
   e) All sanitary sewer inlets, storm sewer inlets and outlets, tile inlets and outlets;
   f) All wells. For wells within 150 feet of any existing or proposed pesticide/fertilizer loading (rinse pad) and secondary containment (diked) areas, include the year installed and the depth;
   g) All water supplies (fire hydrants, water supply tanks, water sources, etc.);
   h) Indicate areas and directions of run-off from the facility;
   i) OSHA requires an employer to designate safe places of refuge in case evacuation of employees becomes necessary.

MAP OF SURROUNDING AREA

Attach a detailed copy of a county plat book/map, a detailed city map, or a combination of maps, photographs, and diagrams which accurately describe the location of the facility and include only the following:

1) County
2) City
3) Township
4) Range
5) Section
6) ¼ Section
7) Fraction/Lot
8) Distance and direction to cropland (be specific), residences (single family or multi-family dwelling), schools, hospitals, and businesses (type) within one-quarter mile of facility. Use standard compass directions and give exact distance measurements.
9) Distance and direction to surface water (creeks, streams, rivers, lakes, ponds, wetlands, etc.), drainage ditches (county and others), and down gradient storm sewers within one-quarter mile of the facility.
10) Distance and direction to any municipal water supply well within one-quarter mile of the facility. Use standard compass directions and give exact distance measurements.

Use the appropriate symbols shown below on your facility and surrounding area maps.



7. PROCEDURES FOR USE/HANDLING OF PESTICIDE/FERTILIZER AT FACILITY

FILLING APPLICATION EQUIPMENT

Describe fill methods, specify equipment and procedures used to prevent spills and incidents, for all transfer, loading, unloading, mixing, repackaging, and refilling operations for containers and application equipment at all loading areas (be specific).

Pesticides:

Fertilizer:

Describe area(s) used for loading application equipment (i.e., concrete, metal, gravel, scale, pit, etc.):

Product Type	**Type of Loading Area**
Small packaged pesticide <56 gal.	
Minibulk pesticides 56-499 gal.	
Bulk pesticide >500 gal.	
Dry bulk pesticides	
Bulk liquid fertilizer	
Dry bulk fertilizer	
Pesticide impregnated fertilizer	
Other:	

Indicate type of backflow prevention devices installed/used on water supplies when filling application equipment.

Pesticides:

Fertilizer:

Indicate type of backflow prevention devices installed/used on water supplies when rinsing pesticide containers.
Pesticides:

Fertilizer:

Indicate type of backflow prevention devices installed/used on water supplies when cleaning application equipment (tanks).
Pesticides:

Fertilizer:

Describe overfill prevention procedures and structures.
Pesticides:

Fertilizer:

HANDLING & USING RINSATES

Address the generation, handling, and use of rinsates, rainwater, washwater, sludge, etc., from load/unload pads.

Pesticides:

Fertilizer:

Address the generation, handling, and use of rinsates, rainwater, washwater, sludge, etc., from secondary containment structures.

Pesticides:

Fertilizer:

Address the generation, handling, and use of rinsates, rainwater, washwater, sludge, etc., from transportation and application equipment for all products.

Pesticides:

Fertilizer:

Address the generation, handling, and use of rinsates, rainwater, washwater, sludge, etc., from rinsing/cleaning containers, including small packages, minibulks, and bulk containers.

Pesticides:

Fertilizer:

Address the generation, handling, and use of rinsates, rainwater, washwater, sludge, etc., from application equipment parking and product storage areas.
Pesticides:

Fertilizer:

Address the generation, handling, and use of rinsates, rainwater, washwater, sludge, etc., from scale pits.
Pesticides:

Fertilizer:

Describe procedures used to reduce the amount of rinsate generated.
Pesticides:

Fertilizer:

USE OF RINSATE & SLUDGE

Whenever possible, rinsate and sludge should be used as originally intended. When reuse is not possible, either because of excessive contamination or cross-contamination with an incompatible material, the material must be disposed of in accordance with the SDDA requirements. Depending upon the chemical involved, disposal options may include a local landfill permitted to accept the material or a hazardous waste landfill. Do not begin disposal until the SDDA has granted approval.

Rinsate resulting from daily operations should be:

☐ Used as makeup water in the present or future outgoing pesticide/fertilizer loads of the same pesticide/fertilizer, or same use-site compatible pesticides/fertilizers. Approximate concentration of rinsate should be accounted for when intended application is near maximum label rate. Rinsate should never exceed 5% of the total load. All customers receiving rinsate as makeup water should be informed in advance and provide approval. If a customer does not approve, _____.

☐ Applied as-is to a labeled site at a labeled rate as directed by:
Facility contact name: _____

1) The approximate analysis of material must always be known before use.
2) These sites must be used in the current and following season for a crop:
   a) Specified by the pesticide label(s);
   b) Only when the fertilizer can be uniformly applied at a rate not exceeding normal nutrient needs for the present or intended crop.
3) Location where rinsate application records are kept:
   _____

☐ Disposed of according to label directions and as directed by the SDDA.

☐ Other acceptable procedures outlined below:

8. EMERGENCY EQUIPMENT & SUPPLIES

PERSONAL PROTECTION EQUIPMENT & LOCATIONS

This lists the minimum types of personal protective equipment recommended by the SDDA. Check all pesticide/fertilizer labels to ensure adequate personal protective equipment is available for use at your facility.

EQUIPMENT	ON SITE	OTHER	LOCATION
Rated Respirators			
Rubber or Neoprene Boots			
Disposable Boots			
Rubber Gloves			
Chemical Suits			
Rubber Raincoats			
Face Shield/Similar Protection			
Safety Goggles			
Hard Hats			
Soap			
Other:			
Other:			

LOCATION OF EMERGENCY REPAIR EQUIPMENT & SUPPLIES

(Available 24 hours/day; include location, description, and phone numbers)

EQUIPMENT	LOCATION	DESCRIPTION	PHONE NUMBER
Beveled Wooden Stakes & Mallet			
Rubber Strips, Plastic Tape, & Duct Tape			
Assorted Bolts, Machine Screws, & Hand Tools			
Rain Gutter or Plywood for Overflow Control			
Caulking Material			
Other:			

LIQUID RECOVERY EQUIPMENT

Liquid recovery equipment: _____

Liquid transfer pumps: _____

Gasoline for pumps: _____

Hoses & fittings for pumps: _____

Emergency electrical generating equipment: _____

Other: _____

OTHER EMERGENCY EQUIPMENT

Leak proof drums with lid for collection of absorbed material from cleanup of minor spills:

_____

Tanks (of adequate capacity for holding recovered material): _____

_____

Portable storage tanks (i.e., tanker truck, nurse tank, etc.): _____

_____

Traffic control equipment (to prevent vehicles & persons from entering incident site):

_____

EXCAVATION EQUIPMENT

Front-end loaders: _____

Bulldozers: _____

Dump trucks: _____

Backhoe: _____

Other: _____

PESTICIDE DECONTAMINANTS

Depending on the pesticide involved, chlorine bleach, caustic soda (lye, sodium hydroxide), or lime can sometimes be used to effectively decontaminate spills.

Some pesticides cannot be effectively decontaminated and should only be treated with detergent and water to assist in removal.

PESTICIDE DECONTAMINANTS

Lye or Lime	Chlorine Bleach	Do Not Use Chemicals
Abate	Calcium Cyanide	Alachlor
Atrazine	Calcium Cyanamide	Amiben
Baygon	Dyfonate	Chlordane (chlorinated hydrocarbons)
Bromex	Folex	Diuron
Captan	Lethane	Maneb
Cyanazine		Methoxychlor
Cygon		Pentachlorophenol
Dalapon		Tordon
Dichlorvos or Vapona		Toxaphene
Dursban		Trifluralin
EPN		2, 4-D
Malathion		
Orthene		
Rotenone		
Sevin		
Silvex		
Sodium Flouride		
TCA		
2, 4, 5-T		

GUIDE TO APPLYING DECONTAMINANTS

% Active Ingredient	Use Decontaminate in Amount Equal to:
1-10	The quantity of spilled pesticide
11-79	1.5 times the quantity of spilled pesticide
80-100	2 times the quantity of spilled pesticide

1) Decontamination solutions can be used on surfaces and materials contaminated by dust, granular, wettable powder, or liquid pesticides.
2) Application of decontaminants
   a) Liquid – mix and apply to spill area with watering can
   b) Dry – spread thinly and evenly over the spill area, then lightly sprinkle the area using a watering can to activate the decontaminant
3) Allow the appropriate decontamination solution to react for 1 to 6 hours before removal with absorbent material.

Nonporous Surface: Thoroughly work the appropriate amount of decontamination solution into the surface using a long-handled broom, scrub brush, or other equipment. Use absorbent material to soak up the solution. Collect the contaminated absorbent material and store it in a labeled, leak-proof container until it can be properly disposed of.
Porous Surface: It may not be possible to adequately decontaminate these materials, such as wood. If clean-up is not adequate, properly dispose of the material.
Soil: Remove all soil to depth of at least 3 inches below the wet surface line. Store and cover soil with plastic until it can be properly disposed of. Note: If you plan to land apply the contaminated soil, you must first contact the SDDA for approval.
Tools, Vehicles, Equipment, Metal, and Other Nonporous Objects: These can generally be decontaminated using detergent and appropriate decontamination solution. Smaller quantities of the solution may be required, depending upon the situation.

4) When employing decontamination procedures, there is potential of creating toxic by-products. In critical situations, samples of affected components (soil, sediment, water, etc.) should be taken and sent to a laboratory for analysis to determine if the decontamination effort was successful.
5) Lye or Lime
   a) Can be used in dry form or liquid solution to decontaminate pesticides acceptable to this treatment. For liquid solution, combine .75 pounds of lye or lime in 3.5 quarts of water to make 1 gallon of 10% solution.
   b) Lye (caustic soda) can cause severe eye damage to persons not properly protected. Wear unventilated goggles, long-sleeved work clothes with coveralls, neoprene gloves, and a respirator to protect yourself from contact.
   c) Do not use lye on aluminum surfaces.
6) Bleach treatment
   a) Liquid or powder form of bleach (sodium hypochlorite) can be used. In general, 1 gallon of liquid household bleach (5% solution) should be used per pound or gallon of spilled pesticide. For bleaching powder, mix 1 gallon of water per pound or gallon of bleach and add a small amount of liquid detergent.
   b) Run a preliminary test, using a small amount of bleach, to make sure the reaction is not too vigorous as a fire could result.
   c) Do not store chlorine bleach in close proximity to, or mix with, amine-containing pesticides.

9. SPILL OF PESTICIDES & FERTILIZERS – PROCEDURES

REPORT AGRICULTURAL CHEMIVAL INCIDENTS TO APPROPRIATE FEDERAL, STATE, & LOCAL AGENCIES

- Telephone numbers are found in Section 1.
- Components listed are SDDA recommended procedures only. Additional procedures may be required to control, contain, and clean up releases.

MINOR SPILLS

A minor spill is a spill small enough to be controlled, contained, and cleaned up using readily available equipment and materials. The most likely sources of minor spills are:
Pesticides:

Fertilizer:

Our most commonly recommended procedure for containing minor spills would be to first contain the spill using:
Pesticides:

Fertilizer:

Determine whether is it appropriate to stop the source of the spill or to limit the flow. Protect yourself before proceeding. Wear appropriate personal protective equipment. Do not allow anyone to walk in spilled material. Prevent vehicles from driving over spilled material. For traffic control materials, see Section 8.

1) **Control Spill:** Location of beveled stakes, a mallet, rubber strips, plastic tape, and duct tape is listed in Section 8.
2) **Contain:** If the material starts to spread, contain by diking with sand, soil, or absorbent clay. Do not allow material to enter storm sewers, waterways, etc., or pool at well heads.
   a) Reference Section 8 for the following:
      A. Nearest source of sand and/or soil.
      B. Tools for moving these materials.
      C. Location of our front-end loader.
   b) For larger spills which go beyond the capacity of our own equipment and personnel, move to the following section on MAJOR SPILLS.

MAJOR SPILLS

A major spill is one which involves a significant quantity of material from both product value and substantial environmental standpoints. A major spill demands both your immediate attention and notification of both company personnel and appropriate authorities.

What might be a minor spill at your own facility quickly becomes a major spill if it occurs on a main street, during rush hour, 15 feet from a storm sewer that empties directly into a river, stream, or lake.

FOR ANY MAJOR SPILL, BEFORE RESPONDING:

Am I equipped to respond safely?	Notify others of the situation. See Section 1 for phone numbers. Do not allow anyone to walk or drive in the spilled material. See Section 8 for traffic control supplies. Get needed protective gear. See Section 8 for listing.
Does the spilled material have any special properties to consider (i.e., flammable, acid, high toxicity, reactions with other stored products)?	Be certain you and all responding are aware and consider these properties. See Sections 2 and 3 for product information locations.
Are any electrical components wet or submerged?	Shut down all power until it is determined what can be safely used.

Other pre-response considerations for this facility are:

Note: Refer to MINOR SPILLS for more general guidelines for control, containment, and cleanup procedures with regard to spills.

FOR A SPILL WITHIN ANY SECONDARY CONTAINMENT:

Are tanks sufficiently anchored?	Pump water or spilled product into stable tanks. For location of liquid transfer equipment, see Section 8. Remove or restrain small tanks. Other:
Are other materials being contaminated?	Remove or transfer material to another storage area. For location of liquid transfer equipment, see Section 8. Other:
Can the leak be easily stopped?	Check valves. Plug holes with wood stakes or replace parts. See Section 8. Tape or strap over leak. See Section 8 for materials. Transfer to another tank. See Section 8 for location of other tanks. Other:

OTHER SOURCES OF SPILLS

Other response procedures include:

Pesticides:

Fertilizer:

HIGHWAY, FIELD, OR OTHER SPILLS NOT WITHIN SECONDARY CONTAINMENT:

1. If a spill occurs on a highway, call the State Highway Patrol ( ) or the local sheriff's office ( ) and the SDDA (605.773.4432) for assistance. Do not leave the area until responsible assistance arrives.
2. Do not walk in spilled pesticide/fertilize. Prevent vehicles from driving over spilled material. See Section 8 for a listing of traffic control materials.
3. Do not handle leaking containers or get in a vehicle without appropriate personal protective equipment.
4. Do not allow anyone to smoke near the spilled pesticide/fertilizer or provide any other ignition source.
5. Dike the spill to prevent run-off of pesticide/fertilizer into any nearby waterways, ditches, streams, ponds, storm sewers, tile lines, etc.

FOR ANY MAJOR SPILL:

1. Pump into storage as much spillage as possible and hold for analysis, use, or reprocessing.
2. Follow minor spill procedures after initial recovery.
3. If a cleanup job appears too big to handle or if there is any doubt about the correct procedure, telephone _____ and _____ for assistance.

Describe specific procedures to be used to transfer, handle, store, and dispose of materials recovered from discharges that occur within your operational area containment and secondary containment structures. Reference appropriate pages within this plan, as needed.

Pesticides:

Fertilizer:

Describe methods, procedures, materials, and equipment to be used to contain, recover, store, transport, and dispose of discharges which occur outside of your operational area containment. Reference appropriate pages within this plan, as needed.

Pesticides:

Fertilizer:

10. EMPLOYEE TRAINING

The owner/manager of an operational area shall conduct pesticide handling and discharge response plan training for all new and existing employees involved in the use and handling of pesticides.

Training shall be conducted at least annually. Employees involved in pesticide use and handling must receive training no later than three days after beginning pesticide use and handling duties.

The owner/manager and employees are responsible for following the firm's pesticide handling and discharge response plan to minimize environmental contamination.

Employee Name (Print)	**Date of Training**	**Employee has Reviewed Pesticide Handling & Discharge Plan**	
		Initials of Employee	Initials of Trainer

11. DEFINITIONS

RELATED SOUTH DAKOTA PESTICIDE LAW & RULE

Operational Area Containment, as defined by ARSD 12:56:17:01, by the authority of SDCL 38-21-15, was required after February 1, 1995, of any person when their operational area meets any one or more of the following conditions:

1. The operational area is the applicator's principal operational area; and
    a. More than a total of 1,500 pounds of pesticide active ingredients are transferred, loaded, unloaded, mixed, repackaged, or refilled during a calendar year; or
    b. Either concentrate or diluted pesticides are cleaned, washed, or rinsed from containers or from application, handling, storage, or transportation equipment for over 30 days accumulated during a calendar year.
2. The operational area within:
    a. 150' of a lake, stream, streambed, or wetland;
    b. 150' of a well;
    c. 250' of populated buildings, whether commercial or residential premises, excluding the owner or operator's own residential or commercial buildings;
    d. 500' of a well used as a public water supply.

Two or more operational areas under common ownership and control within one-half mile of each other are calculated collectively to determine if the thresholds listed in subdivisions 1a or 1b above have been reached.

Subdivisions 1a and 1b do not apply to those operational areas located within or immediately adjacent to each pesticide application site, except for pressure wood preserving operational areas.

Subdivisions 2c and 2d do not apply to mixing and loading operations conducted by pesticide applicators utilizing containers and equipment with holding capacities of 10 US gallons or less, or 50 pounds net dry weight or less.

Spills During Transport are required, by ARSD 12:56:03:01.01 under the authority of SDCL 38-21-16, to be reported to the SDDA or Emergency Management Services within 12 hours after a spill of more than 5 gallons of liquid or 50 pounds of dry pesticides.

Spills Outside of Secondary Containment Area are required, by ARSD 12:56:13:10 under the authority of SDCL 38-21-16, to be reported to the SDDA or Emergency Management Services by the operator/manager within 3 hours of a spill of more than 25 gallons of liquid or 500 pounds of dry pesticides.

According to ARSD 12:56:13:02, a person shall not construct a bulk pesticide storage facility, for the storage of permanent bulk pesticide storage containers, without a means of secondary containment.

Reporting Requirements for significant pesticide accidents are implemented by the secretary under SDCL 38-21-16. The following information should be reported:

1. Materials involved and quantity;
2. Environment involved; and
3. Location and type of incident.

RELATED SOUTH DAKOTA FERTILIZER LAW & RULE

Spills Outside of Secondary Containment Area are required by ARSD 12:44:05:29 under the authority of SDCL 38-19, to be reported to the SDDA and Emergency Management Services by the operator/manager of a bulk commercial fertilizer storage facility within 3 hours after a spill of more than 25 gallons of liquid or 500 pounds of dry fertilizer.

ARSD 12:44:05:03, by the authority of SDCL 38-19, mandates a person may not construct a liquid bulk commercial fertilizer storage facility for the storage of permanent liquid bulk commercial fertilizer storage containers without a means of secondary containment.

ARSD 12:44:05:06, by authority of SDCL 38-19, mandates all non-liquid fertilizer materials, unless stored in a totally enclosed building, must be covered and stored within a secondary containment structure. The building must be constructed so as to not allow seepage or spillage or fertilizer materials from the building under normal storage conditions.

ARSD 12:44:05:28, by the authority of SDCL 38-19, requires, by February 1, 1992, all washing of commercial fertilizer application equipment at liquid and non-liquid bulk commercial fertilizer storage facilities must be conducted within an area that complies with ARSD 12:44:05:27. No commercial fertilizer rinsates or wash waters from commercial fertilizer equipment may be disposed of through sanitary or storm sewer systems. Washing of commercial fertilizer equipment in the field is permissible and encouraged if it is performed at the site of the final commercial fertilizer application on a given day and no run-off from the wash site occurs. Any accumulated liquid or material that contains a fertilizer within the containment area must be applied to a field or fields at normal fertilizer rates or used in a liquid mixing operation. This section also applies when a commercial fertilizer is combined with a pesticide. When the accumulated liquid or material contains a pesticide, the accumulated liquid or material must be applied to a field or fields at a normal pesticide application rate or used in a liquid mixing operation.