



Extension Extra

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Plant Science

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Changes in State Pesticide Handling Regulations — 1995

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New state pesticide handling regulations were implemented May 1, 1995, which are designed to reduce the risk of contamination from pesticide use and handling operations.

The new regulation, ARSD 12:56:17, defines an “Operational Area” as an area where pesticides are transferred, mixed, handled, etc. after the container’s seal has been broken or where pesticides are rinsed from containers or other equipment.

“Operational Area Containment” is a system designed to collect and hold, for reuse or disposal, pesticides which are spilled, rinsed or otherwise lost at the operational area.

A major portion of the “Operational Area Containment” regulation sets criteria for requiring applicators to use a pesticide mixing/loading pad. If any one of the following criteria is met at the applicator’s principal pesticide handling area, an applicator is required to use a pesticide mixing/loading pad (operational area containment):

- If more than 1500 pounds of active ingredient is mixed, loaded, poured or transferred in one location in one calendar year. This includes the total of all pesticides handled at that location (operational area).

or

- If pesticide or pesticide residue, is rinsed, washed, or cleaned from application or handling equipment or pesticide containers more than 30 days in one location (operational area) in one calendar year.

or

- If either of the above activities (operational area) is within:
150 ft of a well, lake, stream, or wetland, or
200 ft of an occupied building (other than your own), or
500 ft of a public water supply

Areas within 1/2 mile operated by the same person are considered one area. If these (operational area) activities are adjacent to

or within the application area (i.e. field), the 1500 pound of active ingredient or the 30-day rinsing criteria does not apply.

Mixing pesticide and rinsing equipment and containers at various locations in the field, which are not near water sources or structures, will eliminate the necessity for a pesticide containment pad. No matter how careful an applicator is when handling pesticides, small splashes and spills are going to happen. When pesticides are mixed in one area year after year, a buildup of small spills and leaks may pose a concern for soil or water contamination in that area. Whenever possible mix, load, and rinse in the field.

Construction Plans for Containment Pads

Construction plans for operational area containment pads must be approved and the site registered with the South Dakota Department of Agriculture at least 60 days prior to building. Contact the South Dakota Department of Agriculture at 773-4432 for application forms and design specifications.

Basically, pesticide containment areas must be constructed with an impervious (leak proof) surface which is designed to catch and contain any leaks or spills that occur. Although these pads generally are made of concrete, other materials, including those used to make portable pads, may be used, if they meet design specifications and are approved by the South Dakota Department of Agriculture. All joints, seams, and cracks which develop must be sealed. For handling liquid pesticides, the containment area must be sloped or curbed to hold the capacity of the largest container or application system using the pad. Minimum containment size is 250 gallons.

Due to delays in the implementation of this regulation, South Dakota Department of Agriculture has adopted a policy of not enforcing the portion of the regulation requiring pesticide (opera-

tional area containment) pads until September 1, 1995, provided an approved application and construction plan is on file with the Department. This will allow applicators, who find that they need pesticide (operational area containment) pads, time to construct them.

Pesticides Handling and Discharge Response Plans

Another portion of the regulation requires every certified pesticide applicator who handles any pesticide after the container's seal is broken, to have a completed pesticide handling and discharge response plan. This plan must be kept current, on file, and available for inspection by the South Dakota Department of Agriculture.

The written plan must include the following information:

1. Methods and procedures for properly handling pesticides, pesticide containers and application equipment.
2. Methods and procedures for inspection and repair of pesticide application, storage, and handling equipment.
3. Methods and procedures for rinsing/washing pesticide containers and application, storage, and transportation equipment.
4. Methods and procedures to be used to contain, recover, handle, and dispose of pesticide spills either outside or inside a pesticide containment area (if required).
5. Emergency phone numbers to be contacted if a pesticide spill occurs.

Example Plans

Refer to Extension Extra 8109, Handling Pesticides Properly, for suggested pesticide handling and operating procedures to be used in completing the Pesticide Handling and Discharge

Response plan. Example plans which may be adapted to your operation are available from your local County Extension Office or the South Dakota Department of Agriculture.

Employee Training

Operators who have employees handling pesticides are required to provide training on their pesticide handling and discharge response plan at least annually and no later than 3 days after beginning work with pesticides. Employees should become familiar with the plan and emergency procedures, then sign and date the plan to document that training has taken place.

Backflow Prevention

The regulation also requires that whenever using potable (drinkable) water systems, methods must be taken to prevent pesticide from siphoning or flowing back into the water system. An air gap separation between the hose and pesticide tank or use of a backflow prevention valve in the water supply line must be used.

Spill Reporting and Emergency Numbers

Pesticide spills must be reported to the proper agencies. Since state regulations vary regarding the amount of pesticide it takes to be considered a spill, if there is any question, call. Report spills by contacting one of the following numbers:

- Division of Emergency Management
773-3231 24 hrs/day
- S.D. Department of Agriculture
773-44328a.m.–5p.m. Central Time
- S.D. Department of Environment & Natural Resources
773-31538a.m.–5p.m. Central Time

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