

Standards for Containment Structures (40 CFR Part 165 Subpart E)

STANDARDS FOR CONTAINMENT PADS

New Containment Pads in Pesticide Dispensing Areas:

Material Specifications -

- (1) The containment structure must be constructed of steel, reinforced concrete or other rigid material capable of withstanding the full hydrostatic head, load and impact of any pesticides, precipitation, other substances, equipment and appurtenances placed within the structure.
- (2) The structure must be liquid-tight with cracks, seams and joints appropriately sealed.
- (3) The structure must not be constructed of natural earthen material, unfired clay, or asphalt.
- (4) The containment structure must be made of materials compatible with the pesticides stored. In this case, compatible means able to withstand anticipated exposure to stored or transferred materials and still provide secondary containment of those same or other materials within the containment area.

General Design Requirements

- (1) You must protect appurtenances (hoses, pumps, valves, pipes etc.) and pesticide containers against damage from operating personnel and moving equipment. Means of protection include, but are not limited to, supports to prevent sagging, flexible connections, the use of guard rails, barriers, and protective cages.

Capacity

- **750 Gallons or Greater** must have a holding capacity of at least 750 gallons.
- **Less Than 750 Gallons** must have a holding capacity of at least 100 percent of the volume of the largest pesticide container or pesticide-holding equipment used on the pad.

Pad Design Each new containment pad in a pesticide dispensing area must:

- (1) Be designed and constructed to intercept leaks and spills of pesticides which may occur in the pesticide dispensing area.
- (2) Have enough surface area to extend completely beneath any container on it, with the exception of transport vehicles dispensing pesticide for sale or distribution to a stationary pesticide container. For such vehicles, the surface area of the containment pad must accommodate at least the portion of the vehicle where the delivery hose or device couples to the vehicle. This exception does not apply to transport vehicles that are used for prolonged storage or repeated on-site dispensing of pesticides.
- (3) Allow, in conjunction with its sump, for removal and recovery of spilled, leaked, or discharged material and rainfall, such as by a manually activated pump. Automatically activated pumps which lack automatic overflow cutoff switches for the receiving container are prohibited.
- (4) Have its surface sloped toward an area where liquids can be collected for

removal, such as a liquid-tight sump or a depression, in the case of a single-pour concrete pad.

OPERATIONAL, INSPECTION AND MAINTENANCE REQUIREMENTS

(Note These instructions include information for secondary container containment as well as loading pad procedures and recordkeeping)

Facility Operating Procedures

- As the owner or operator of a new or existing pesticide containment structure, you must:
 - (1) Manage the structure in a manner that prevents pesticides or materials containing pesticides from escaping from the containment structure (including, but not limited to, pesticide residues washed off the containment structure by rainfall or cleaning liquids used within the structure.)
 - (2) Ensure that pesticide spills and leaks on or in any containment structure are collected and recovered in a manner that ensures protection of human health and the environment (including surface water and ground water) and maximum practicable recovery of the pesticide spilled or leaked. Cleanup must occur no later than the end of each day on which pesticides have been spilled or leaked.
 - (3) Ensure that all materials resulting from spills and leaks and any materials containing pesticide residue are managed according to label instructions and applicable Federal, State and local laws and regulations.
 - (4) Ensure that transfers of pesticides between containers, or between containers and transport vehicles are attended at all times.
 - (5) Ensure that each lockable valve on a stationary pesticide container, if it is required by § 165.45(f), is closed and locked whenever the facility is unattended.
- **Inspection And Maintenance Requirements**
- As owner or operator of a new or existing pesticide containment structure, you must:
 - (1) Inspect each stationary pesticide container and its appurtenances at least monthly during periods when pesticides are being stored or dispensed on the containment structure. Your inspection must look for visible signs of wetting, discoloration, blistering, bulging, corrosion, cracks or other signs of damage or leakage.
 - (2) Immediately repair any areas showing visible signs of damage and seal any cracks and gaps in the containment structure or appurtenances with material compatible with the pesticide being stored or dispensed.
 - (3) Can not store any pesticide on a containment structure if the structure fails to meet the requirements of this subpart until suitable repairs have been made. Prompt removal of pesticides, including emptying of stationary pesticide containers, in order to effect repairs or recovery of spilled material is acceptable.

- **If constructing both a containment pad and a secondary containment unit** you may combine containment pads and secondary containment units as an integrated system provided the requirements set out in this subpart for containment pads and secondary containment units in §§ 165.85(a) and (b), 165.87(a) and (b) and § 165.90, and as applicable, §§ 165.85(c)-(f) and 165.87(c)-(f) are satisfied separately.

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- **RECORDKEEPING**

- **Recordkeeping -facility owner or operator**

- You must maintain the following records, and you must furnish these records for inspection and copying upon request by an employee of EPA or any entity designated by EPA, such as a State, another political subdivision or a Tribe:
- (a) Records of inspection and maintenance for each containment structure and for each stationary pesticide container and its appurtenances must be kept for 3 years and must include the following information:
 - (1) Name of the person conducting the inspection or maintenance;
 - (2) Date the inspection or maintenance was conducted;
 - (3) Conditions noted;
 - (4) Specific maintenance performed.
- (b) Records for any non-stationary pesticide container designed to hold undivided quantities of agricultural pesticides equal to or greater than 500 gallons (1,890 liters) of liquid pesticide or equal to or greater than 4,000 pounds (1,818 kilograms) of dry pesticide that holds pesticide but is not protected by a secondary containment unit meeting these regulations must be kept for 3 years. Records on these non-stationary pesticide containers must include the time period that the container remains at the same location.
- (c) Records of the construction date of the containment structure must be kept for as long as the pesticide containment structure is in use, and for 3 years afterwards.

- [FR Doc. 06-6856 Filed 8-15-06; 8:45 am] **BILLING CODE 6560-50-S**

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