

02 NCAC 34 .0408 STORAGE REQUIREMENTS FOR RESTRICTED USE PESTICIDES

(a) In addition to the storage requirements set forth in Rule .0407 of this Section, restricted use pesticides shall be stored in accordance with the requirements set forth in this Rule.

(b) Restricted use pesticides shall be stored so as to prevent unauthorized access to the pesticides. When unattended, the storage area shall be locked. A warning sign shall be posted beside all entrances to the storage area which states: "PESTICIDE STORAGE," "AUTHORIZED PERSONNEL ONLY." "IN CASE OF EMERGENCY, CALL _____."

(c) Restricted use pesticides shall be stored to prevent contact with water resulting from cleanup, the intrusion of storm waters, leaks, impounded or flowing waters, or any other water source which represents a likely potential for flooding.

(d) Restricted use pesticides shall not be stored within 50 feet horizontally of any private water supply.

(e) Restricted use pesticides shall not be stored within 100 feet horizontally of any public water supply.

(f) A prefire plan shall be developed for each storage area. The plan shall be a description of the plans and procedures for management of fires involving pesticides. A suggested prefire plan format is the publication, "Pre-Planning and Guidelines for Handling Agricultural Fires," reprinted by the National Agricultural Chemicals Association:

- (1) one copy of the plan approved by the fire department or emergency services office having jurisdiction shall be maintained in the office of the licensee or certified applicator for inspection by the Division;
- (2) one copy of the plan shall be filed with the fire department or emergency services office having jurisdiction;
- (3) a request shall be made in writing to the local fire department or emergency services office having jurisdiction for no less than an annual inspection of the storage area.

(g) The licensee or certified applicator responsible for the storage area shall maintain a current inventory list by brand name and formulation of all pesticides, both general use and restricted use, stored in the storage area. An inventory list shall be considered current if it is updated every 30 days. A copy of the inventory list shall be maintained at a separate location from the storage area. The inventory list shall be made available to the Division upon request.

(h) The licensee or certified applicator responsible for the storage area shall notify the Division immediately of any emergency such as a fire, spill, or unintended release of restricted use pesticides into the environment from the storage area, if the emergency poses a hazard or imminent danger to man, animals, aquatic life, or threat of substantial damage to property. Such notification of the Division does not preclude notification being given to the appropriate local fire department, emergency services office, or other state or federal agencies requiring such notification.

*History Note: Authority G.S. 106-65.29;
Eff. August 3, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 22, 2018.*