

NDEQ News

*For more information, contact
NDEQ's Public Information Office, (402) 471-4223 or (402) 471-4243*

Liquid Fertilizer Containment - Some Important Reminders from NDEQ

The Nebraska Department of Environmental Quality would like to remind owners of tanks used to store liquid fertilizer that a diking system may be necessary for secondary containment.

"If a spill occurs and there is no secondary containment, the fertilizer could impact our streams, lakes and ground water," said NDEQ Director Mike Linder. "These secondary containment rules are there to protect our environment and avoid costly cleanups."

What is secondary containment and when is liquid fertilizer containment required?

Secondary containment is a structure that is designed, constructed and maintained to hold a release of liquid fertilizer from a storage facility. Secondary containment is required when the capacity of a single container exceeds 2,000 gallons or when the capacity of two or more containers exceeds 3,000 gallons.

However, there is an **exception** to the above requirements.

The exception is that a container or containers with an aggregate **capacity of 6,000 U.S. gallons or less** (such as a tip tank) may be excluded from the aggregate capacities **only** when the container is located at the field of application, any time during the period March 15 through October 1. In addition, the container must be:

- Located a minimum of 500 feet from surface waters of the state and a minimum of 100 feet from any well;
- Located in that field for a period not to exceed 21 consecutive days. The field of application includes all contiguous property under the same owner, including areas that are separated by a road;
- Placed on relatively level terrain;
- Inspected for leakage and soundness immediately prior to the initial use each year; and
- Structurally sound, free of any obvious defects, and compatible with the fertilizer placed in the container. Leaky or faulty containers and attached hoses must be repaired or replaced at the time of detection.

Note that a container used in a chemigation system is **not** an exception and must be included as part of the aggregate capacity.

If you use containers (tanks) to store fertilizer that do not meet the conditions identified above, the containers must be located within a secondary containment facility that meets Title 198, Rules and Regulations Pertaining to Agricultural Chemical Containment requirements. There is no registration or permit. However, a construction plan is required and for facilities constructed after July 1, 1994, it must include certification from a Nebraska registered engineer that the facility design complies with the regulations.

Loadout Facilities

A loadout facility or loadout pad is also required when fertilizer is stored in excess of 5,000 gallons. However, a loadout facility is not required when loadout activities are done at the application field.

A copy of the Title 198 regulations and a guidance document titled "Fertilizer and Pesticide Containment in Nebraska" are available on the NDEQ website www.deq.ne.gov. For more information, contact the Department at P.O. Box 98922, Lincoln, Nebraska 68509, or Thomas R. Trewhitt, P.E. at (402) 471-4239.