

1510.0401 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 1510.0401 to 1510.0408, the terms defined in this part have the meanings given them, and "fertilizer," "commissioner," "grade," and "person" have the meanings given in Minnesota Statutes, section 18C.005.

Subp. 2. **Department.** "Department" means the Department of Agriculture.

Subp. 3. **Dry commercial fertilizer.** "Dry commercial fertilizer" means either mixed fertilizer or fertilizer materials distributed in a nonfluid, nonpackaged form.

Subp. 4. **Facility.** "Facility" means a place where dry commercial fertilizer is stored, mixed, blended, weighed, or handled.

Subp. 5. **Incident.** "Incident" means a flood, fire, tornado, transportation accident, or other event causing a release of dry commercial fertilizer, whether accidental or not, which is likely to cause a hazard to people's lives, adjoining property, or the environment.

Subp. 6. **Incident notification sign.** "Incident notification sign" means a sign issued by the department displaying emergency telephone numbers to be called in the case of an incident.

Subp. 7. **Responsible party.** "Responsible party" means the person who has direct custody or control of the dry commercial fertilizer at the time of an incident.

Subp. 8. **Safeguard.** "Safeguard" means a device, structure, or system or a combination of these designed to prevent the escape or movement of a dry commercial fertilizer from the place it is stored which might result in the pollution of any surface or ground waters.

Subp. 9. **Storage container.** "Storage container" means a tank or bin in which dry commercial fertilizer is stored. This does not include delivery equipment unless the delivery equipment is used for storage.

Subp. 10. **Substantially altering.** "Substantially altering" means modifying a facility by adding additional safeguards or storage containers, or by changing existing safeguards or storage containers. This does not include routine maintenance of existing safeguards or storage containers or of existing mixing, blending, weighing, and handling equipment.

Statutory Authority: *MS s 17.725; 18C.121*

History: *29 SR 655*

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