

Department of Agriculture**Proposed Permanent Rules Relating to the Repeal of Obsolete Rules Administered by the Department of Agriculture****1505.0960 REEXAMINATION PROCEDURES.**

If any applicant fails to achieve a passing score on any examination, ~~he/she the~~ applicant shall be eligible to retake the examination ~~after 15 days from the date of notification of failure of the first examination.~~ If any applicant fails to achieve a passing score ~~upon retaking an examination, he/she shall be eligible to retake the examination after 30 days from the date of notification of examination failure.~~ A failing applicant may retake an examination no more than three times in one year. Upon submission to the commissioner in writing of specific reasons within 30 days from the date of notification of failure of third retaken examination, an appeal of the score may be made.

1505.1100 RESTRICTED USE PESTICIDE DISPLAY; SALES AND DISTRIBUTION; RECORD KEEPING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Making restricted use pesticides available; record keeping.**

[For text of items A to C, see M.R.]

~~D. Records must be submitted to the commissioner no later than December 1 of the calendar year in which they occur.~~

1505.3070 LOADING AREAS.

Subpart 1. **Containment for liquid bulk pesticide loading sites.** An area used for the loading of liquid bulk pesticide into fixed storage containers, mobile containers, or pesticide application equipment at a bulk pesticide storage facility must be provided with a means of containment that is elevated above the surrounding area, constructed of reinforced concrete or other commissioner-approved material, and designed and

constructed for the intended purpose. The means of containment must not contain a drain and must comply with either item A or B.

[For text of item A, see M.R.]

B. A sloped surface that contains a sediment trap must comply with subitems (1) to (3).

(1) The perimeter of the area must be curbed three inches in height to prevent runoff and must form a liquid-tight containment area.

(2) The area must be sloped to a sediment trap used only for the temporary collection of spilled or released pesticides. The sediment trap may not be greater than two feet deep ~~or hold more than 109 U.S. gallons.~~

(3) The area must contain a minimum of 1,000 U.S. gallons.

[For text of subps 2 and 3, see M.R.]

1513.0140 MARKINGS OF NONREFRIGERATED CONTAINERS AND SYSTEMS OTHER THAN DOT CONTAINERS.

Subpart 1. **Nameplates.** Each system nameplate must be made of a noncorroding metal permanently attached to the system ~~by continuous welding around its perimeter~~ and located so as to be readily accessible for inspection. Nameplates must be maintained in legible condition and include markings as prescribed in subpart 2.

[For text of subps 2 to 4, see M.R.]