



ADMINISTRATIVE RULES OF MONTANA



4.10.1101 DEFINITION OF TERMS

These definitions apply to all rules adopted under the Montana Pesticides Act, Title 80, chapter 8, MCA.

- (1) "Appurtenances" means all valves, pumps, fittings, pipes, hoses, metering devices and mechanical devices which are connected to a pesticide storage container or are used to transfer a material into or out of a storage container.
- (2) "Bulk pesticide" means any pesticide which is transported or held in an individual container in undivided quantities of greater than 55 U.S. gallons liquid measure or 100 pounds net dry weight.
- (3) "Dry pesticide" means any pesticide which is in solid form.
- (4) "Liquid pesticide" means any pesticide in liquid form.
- (5) "Operational activities" means transferring, loading, unloading, mixing, repackaging, and refilling pesticides; and emptying, cleaning, or rinsing refillable containers.
- (6) "Permanent storage facility" or "PSF" means a facility or location where any primary containment capable of storing more than 500 U.S. gallons or 4,500 pounds of formulated bulk pesticides is in-service for more than 14 consecutive days. Primary containment capable of being moved and not in-service at a single site for more than 14 days is not a PSF. PSF will include primary containment and secondary containment.
- (7) "Precipitation" means rain, snow, sleet or hail.
- (8) "Primary containment" means a dedicated container or vessel effectively designed and constructed to contain a pesticide. Application equipment is excluded.
- (9) "Secondary containment" means a device or an area or structure designed, constructed and maintained to hold or confine or prevent a discharge of pesticides from primary containment and appurtenances.
- (10) "Spill" means a release, leak, discharge, disposal or escape of pesticides or pesticide mixtures into the environment, whether accidentally or not, including the discarding or abandonment of pesticide containers, but excludes the use or disposal of pesticides or pesticide containers in a manner consistent with approved labels and in compliance with the Montana Pesticides Act and the Federal Insecticide, Fungicide and Rodenticide Act, as amended.

Authorizing statute(s): 80-8-105, MCA

Implementing statute(s): 80-8-105, MCA

History: NEW, 1999 MAR p. 54, Eff. 1/15/99; AMD, 2010 MAR p. 909, Eff. 4/16/10.