

NEBRASKA ADMINISTRATIVE CODE  
Title 198 – RULES AND REGULATIONS PERTAINING TO AGRICULTURAL CHEMICAL  
CONTAINMENT

Chapter 1 - DEFINITIONS

In addition to the definitions in Neb. Rev. Stat. § 81-1502, the following definitions apply:

001 Appurtenances means all valves, pumps, fittings, pipes, hoses, and metering devices which are connected to a container, or which are used to transfer a material into or out of such container.

002 Bulk Dry Pesticide means any pesticide, once formulated, that is in dry or solid form in an individual container of undivided quantities equal to or greater than 4,000 pounds, and that has not been combined with liquids; this includes formulations such as dusts, wettable powders, dry flowables, water-soluble powders, granules, and dry baits.

003 Bulk Fertilizer means any liquid fertilizer held in an individual container of undivided capacity greater than 55 U.S. gallons liquid measure.

004 Bulk Liquid Pesticide means any liquid pesticide held in an individual container of undivided capacity greater than 55 U.S. gallons liquid measure.

005 Container means any device, excluding a lagoon or pit, in which a material is stored, mixed, treated, disposed of, or otherwise handled.

006 Custom Applicator means any person who uses or supervises the use of pesticides or fertilizers on property other than their own or which they rent or lease and bills, charges or assesses the cost of such work.

007 Fertilizer means any formulation or product used as a plant nutrient which is intended to promote plant growth and contains one or more plant nutrients recognized by the Association of American Plant Food Control Officials in its official publication. Anhydrous ammonia, and unmanipulated animal and vegetable manures shall not be included in this definition for the purposes of these regulations.

008 Loadout Facility means a location, other than the field of application, used for the loading, unloading, handling or mixing of pesticides or fertilizers or a location used for the rinsing or washing of delivery or application equipment which is designed, constructed, and maintained to hold or confine a release of a liquid pesticide or liquid fertilizer.

009 Operator means the person responsible for the overall operation of a storage facility or loadout facility.

010 Owner means the person who owns all or part of a storage facility or loadout facility.

011 Pesticide is defined in Neb. Rev. Stat. § 2-2624(32).

012 Release is defined in Title 126, Nebraska Administrative Code.

013 Secondary Containment means a device or structure designed, constructed, and maintained to hold or confine a release of a liquid pesticide or liquid fertilizer from a storage facility.

014 Storage Facility means a location where bulk pesticide, bulk liquid pesticide, or bulk fertilizer is stored. A storage facility shall include the entire contiguous tract of land upon which bulk pesticide or bulk fertilizer is loaded, unloaded, mixed, blended, or stored.

015 Sump means any pit or reservoir open to visual inspection, designed to temporarily collect and contain an accumulation of rinsed or washed off material or spilled liquids, structurally sound, and compatible with the materials contained.

016 Totally Covered or Enclosed means protected from precipitation and any subsequent drainage so that unwanted moisture does not enter the structure.

017 Underground Storage means any container, combination of containers, surface impoundment, pit, pond, or lagoon, including underground pipes connected to such storage, which is used to store an accumulation of pesticide, fertilizer, fertilizer or pesticide solution, or related material and the volume of which is ten percent or more beneath the surface of the ground.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(8)(14).