



Containment Rule Determination Resource Guide

EPA Region 8 Office — 1595 Wynkoop Street, Denver, CO 80202 — 1-800-227-8917 — www.epa.gov/region08

The purpose of this document is to help you determine whether the Federal Containment Regulations apply to you and if the regulations require you to have a **Secondary Containment Unit** and/or a **Containment Pad**.

Step I: Do the Containment Regulations apply to me?

Do you handle agricultural pesticides and are you one or more of the following?

1. A refilling establishment whose principal business (50% or more) is retail sales;
2. A commercial pesticide applicator;
3. A custom blender?

If No

If **no**, to all of these questions, **Containment Regulations do not apply to you.**

If Yes

If **yes**, to any of these questions, go to **Step II**.

Step II:

Do the Secondary Containment Regulations apply to me?

Do you have:

One or more **Stationary Pesticide Containers** that hold 500 gallons or more of a liquid pesticide or 4,000 pounds or more of dry pesticides?

If No

If **no**, then **Secondary Containment** is not needed, however you may still need a **Containment Pad**. Go to **Step III**.

If Yes

If **yes**, you must have a **Secondary Containment Unit*** unless an exemption applies. Go to **Step III** to determine if you also need a **Containment Pad**.

Step III: Do the Containment Pad Regulations apply to me?

1. Do you empty, clean or rinse refillable containers;
2. Do you dispense pesticides from a stationary container designed to hold 500 gallons or more of liquid pesticide or 4,000 pounds or more of dry pesticide for any purpose;
3. Do you dispense pesticides from a transport vehicle for the purpose of refilling a refillable container (bulk container or minibulk);
4. Do you dispense pesticides from any container to refill a refillable container for sale or distribution?

If No

If **no**, to all of these questions, a **Containment Pad**** is not required.

If Yes

If **yes**, to any of these questions, you must have a **Containment Pad** unless an exemption applies.

* Exemptions for Secondary Containment Unit are:

- Empty containers
- Containers holding rinsate or wash water (and are labeled as such);
- Containers holding gaseous pesticides at normal atmospheric pressure; and
- Containers dedicated to non-pesticide use (and are labeled as such).

** Exemptions for Containment Pad dispensing area are:

- If you only have gaseous pesticides;
- If you only have stationary containers already protected by a secondary containment unit; and/or
- If the area is used only for dispensing from a (non-stationary) rail car in place less than 30 days.

Definition of a **Stationary Pesticide Container** is a refillable container that is fixed at a single facility or establishment, or if not fixed that remains at a facility for 30 consecutive days or more and holds pesticides the entire time.