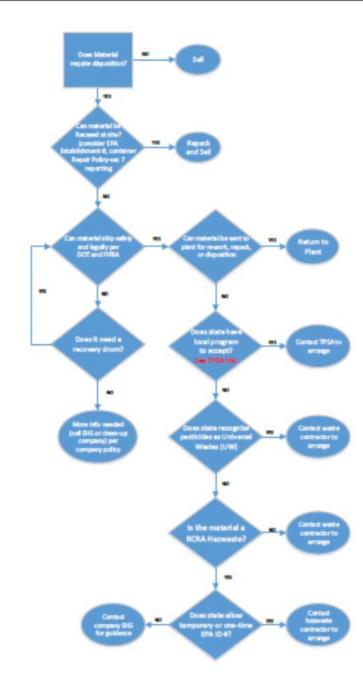
MACA Disposition Flow Chart & Ag-retailers

TPSA 2020 Conference

Becky Roark, Helena Agri-Enterprises, LLC

Pesticide Disposition Flow Chart

Combination Packaging only (see DOT definition if needed)



Pesticide Disposition Flowchart

- Developed by MACA's Distribution Committee
- Reviewed by TPSA board of directors
- Available as a resource from TPSA
- https://tpsalliance.org/
- Good guide for warehousing
- Ag-retailers should follow similar decision process for disposal of pesticides

Pesticide Disposition Flowchart

- Goal is always for proper use and application of pesticides
- Compliance with USEPA's pesticide regulations for sale or use
- Compliance with USEPA's solid and hazardous waste regulations for disposal
- Compliance with USDOT regulations for movement in commerce

What is Waste?

- Abandoned
- Disposed of
- Burned or incinerated
- Treated or stored before being disposed of

Solid Waste or Hazardous Waste

- Anything being "disposed" or "abandoned" is a solid waste *
- ▶ If a solid waste meets EPA's criteria for characteristic waste (e.g., ignitable, TCLP) or is a listed waste (F, K, P/U), it is a Hazardous Waste when disposed
- Is there any relief?

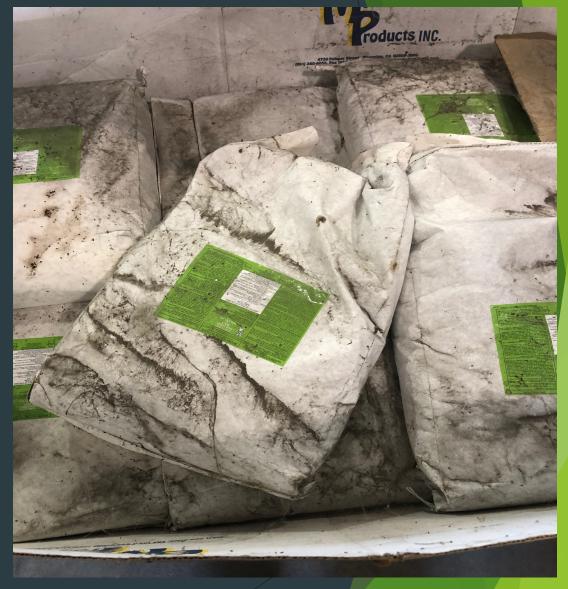
Relief from the Waste Regulations/Rules

- *Not a solid waste if recycled Commercial Chemical Products (e.g., formulated pesticides)
- Recycling Relief 40 CFR 261.2
 - Unused products
 - Off-specification products
 - Any residue remaining in containers
 - Any residue or contaminated soil (spills)
 - Debris resulting from spill cleanup

Off-Specification Examples

- ► Recalls, cancellations or suspensions by USEPA
- Registration lapses federal or state
- Damaged or defaced labels
- Pesticide registration transfers from one registrant to another - existing stocks









Recalls or Suspensions by USEPA

- Normally, pesticides are returned to the registrant for disposal
- Registrant will provide return procedures/guidance
- Alternatively, retailer will ship for disposal
- Cannot be distributed or sold

Damaged or Defaced Labels

- Considered "misbranded" under FIFRA if distributed or sold
- Cannot be sold or distributed for use by others
- Must obtain the complete accurate label in order to USE - retailer can apply but cannot distribute it for use by others

Registration Issues & Registration Transfers

- Contact pesticide registrant to address registration issues, especially at the state level
- When registrant changes are announced, sell existing stocks BEFORE purchasing new
- "Orphan" registered pesticides can they be relabeled with the new registrant's label? Shelf life?
- Disposal?

Relabeling

- ► Facility must have an EPA Establishment Number
- ▶ 40 CFR 167.3
- Produce means to manufacture, prepare, propagate, compound, or process any pesticide, including any pesticide produced pursuant to section 5 of the Act, any active ingredient or device, or to package, repackage, label, relabel, or otherwise change the container of any pesticide or device

Relabeling

- Contract with the registrant authorizing relabeling of the pesticide
- Registrant must provide labels
- Relabeler adds EPA Est. No. to the newly applied label
- Include relabeled pesticides on the annual report (EPA Form 3540-16) submitted to USEPA by March 1

Disposal

- Follow company waste policy
- Take advantage of state-sponsored disposal programs
- ► TPSA website provides list of state contacts involved in pesticide disposal
- Determine proper waste classification of the pesticide

Disposal

- Confirm hazardous waste generator Site ID is up to date
- Determine facility's hazardous waste generator status and update if needed
- Work with reputable waste disposal company to arrange for transportation and disposal as waste

Questions?