

# Proposal to Land Apply Soil from Agricultural Chemical Incidents

## Guidance Document 13

REFER TO THE CORRESPONDING GENERAL INSTRUCTIONS PRIOR TO COMPLETING THIS FORM

APPLICATION DATE: \_\_\_\_\_

1. Facility or Spill Site Information:
  - a) Site name / MDA case file number \_\_\_\_\_
  - b) Street Address: \_\_\_\_\_
  - c) Mailing Address: \_\_\_\_\_
  - d) City / Zip: \_\_\_\_\_
  - e) Contact Person: \_\_\_\_\_
  - f) Relationship to Site: \_\_\_\_\_
  - g) Phone: ( ) \_\_\_\_\_
  
2. Person Preparing this form:
  - a) Name: \_\_\_\_\_
  - b) Title: \_\_\_\_\_
  - c) Company: \_\_\_\_\_
  - d) Mailing Address: \_\_\_\_\_
  - e) City / Zip: \_\_\_\_\_
  - f) Phone: ( ) \_\_\_\_\_
  
3. Proposed Land Application Site:
  - a) Property Owner: \_\_\_\_\_
  - b) Mailing Address: \_\_\_\_\_
  - c) City / Zip: \_\_\_\_\_
  - d) County: \_\_\_\_\_
  - e) Phone: ( ) \_\_\_\_\_
  - f) Legal Description of property (township, range, section):  
\_\_\_\_\_
  
4. Has there been past waste disposal activities or land application of pesticide contaminated soil at the proposed application site? If so, describe them in detail:
  
  
5. When do you propose that the soil will be spread at this site? (MDA approval of this form must be received prior to application.): \_\_\_\_\_

**Determination of the Quantity of Pesticide in Excavated Soil:**

6. Volume of soil to be land applied (in cubic yards): \_\_\_\_\_
  
7. Soil characteristics of proposed spreading area.
  - A) Soil texture: \_\_\_\_\_
  - B) Soil organic matter content:      Low                              Medium                              High

**CONTAMINANT QUANTITY AND APPLICATION RATE CALCULATIONS**

<b>8.</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
	<b>Contaminant</b>	<b>Label Used (product name &amp; EPA reg. no.)</b>	<b>Avg. or Max. Concentration (ppm)</b>	<b>Total Quantity (pounds)</b>	<b>Labeled Crops (if other, change name)</b>	<b>Applications Rate (½ of the lowest label rate – pound A.I./acre)</b>	<b>Minimum Acreage Required (total qty./rate)</b>
	Example: Metolachlor	Dual EPA # 100-673	120	29(100 yd <sup>3</sup> )	Corn or Soybeans	0.75#/acre (med. soil)	39 acres
1)					Corn:		
					Soybeans:		
2)					Corn:		
					Soybeans:		
3)					Corn:		
					Soybeans:		
4)					Corn:		
					Soybeans:		
5)					Corn:		
					Soybeans:		
6)					Corn:		
					Soybeans:		
7)					Corn:		
					Soybeans:		
8)					Corn:		
					Soybeans:		

**Additional Considerations:**

9. Using the results from number 8 and the instructions on page iv, what is the:
- a) selected crop? \_\_\_\_\_
  - b) limiting pesticide for the selected crop? \_\_\_\_\_
  - c) minimum application acreage required? \_\_\_\_\_ acres
  - d) application timing? (Spring, Fall , other [list]) \_\_\_\_\_
10. What equipment will be used to spread the soil and how will this equipment be calibrated?  
\_\_\_\_\_
11. Is the application rate for the limiting contaminant physically feasible with the equipment to be used?  
If not, propose an alternative approach.  
\_\_\_\_\_
12. List any other label and/or environmental considerations which may restrict land application of the excavated soil at the calculated rate for the limiting contaminant. Examples include restricted seasonal use of some pesticides; best management practices, the proximity of wells, rural residences, wetlands, surface water or sinkholes to the application site and shallow depth to bedrock. Also, locate the listed physical environmental factors on an attached site map.  
\_\_\_\_\_  
\_\_\_\_\_

**Documentation of Approval:**

13. Appropriate local units of government (County, City and Township) at the application site as well as the owner(s) of the application site must be notified of the proposal to land apply soil from an agricultural chemical incident at least two weeks prior to spreading soil at the site (this may be less in emergency situations, with MDA approval).

Provide some form of documentation that the landowner(s) and the appropriate units of government (City, County, and Township) have been notified of the proposal to land apply soil from an agricultural chemical incident to their land or within their jurisdiction. At a minimum, identify the name of the contact person, phone number, address and title. Also, list the date and method of notification for each person notified.

14. Complete the application summary (item 15) on page 4 of this form. After the application summary is completed, the contaminant owner and the landowner/operator must sign and date page 4 of this form. Copies of the completed land application form, notification of local units of government and all requested documentation must be given to the landowner/operator and must be submitted to the MDA for review and approval before land application may begin.

15. **APPLICATION SUMMARY**

a)	Source and volume of soil: _____		
b)	Crop: _____		
c)	Acres to be used: _____		
d)	Application Rate: _____	cubic yards/acre	
e)	Application Timing: _____		
f)	Incorporated?    Yes    No	g) Pile(s) to be mixed?    Yes    No	
h)	Application Location: _____		
	i) <u>Contaminant</u>	j) <u>Application Credits (lbs/acre)</u>	
1.	_____	_____	
2.	_____	_____	
3.	_____	_____	
4.	_____	_____	
5.	_____	_____	
6.	_____	_____	
7.	_____	_____	
8.	_____	_____	
9.	_____	_____	
10.	_____	_____	

k) **Agreement:**

By signing this Application Summary: \_\_\_\_\_ (Responsible Party), and \_\_\_\_\_ (Land Spreader) agree to the terms in this proposal entered into pursuant to Minn. Statute § 18D.1052 (1996); and \_\_\_\_\_ (Landowner/Operator) agrees not to exceed labeled rates for the pesticide active ingredients listed (if any), including credits for this application (credits listed in Item 15j).

The parties understand the MDA may monitor compliance with the terms of this proposal by conducting on-site inspections, sampling, and other oversight activities, and that this proposal shall be considered an agreement between the MDA and the parties. MDA reserves the right to modify or rescind this proposal for just and reasonable cause upon written notification to the parties.

If a party violates this agreement, MDA reserves the right to enforce the agreement pursuant to Minn. Statute 18D.301-331 (1996).

\_\_\_\_\_  
*Signature of Soil Contaminant Owner*

\_\_\_\_\_  
*Signature of Landowner/Operator*

\_\_\_\_\_  
*Signature & License # of Spreader*

\_\_\_\_\_ or  \_\_\_\_\_  
 MDA Approval as Proposed    or    MDA Approval as Modified