

A black and white photograph of a vintage truck, possibly a Chevrolet, in a field. Several people are on the truck; one is sitting on the roof. A large number of birds, likely seagulls, are flying all around the truck and the people. The scene is set in a flat, open landscape under a cloudy sky.

DOT and EPA Concerns Related to Agriculture in the Central Valley

ASSP Meeting, August, 2026, Bakersfield

What are “Hazardous Materials”?

Hazardous Materials (HazMat) are:

- ***substances*** (like pesticides); or
- ***articles*** (like lithium batteries);

regulated by US DOT when transported on public ways.



Forsyth, Montana, June, 1939

What does CHP say about HazMat?

According to Officer Francis Poncherello of the California Highway Patrol, of the top 10 CMV violations in California, Number 8 is:

Hazardous Materials Violations



What does DOT say about HazMat?

According to DOT, the most common HazMat violations are:

- Package not secure in vehicle
- No copy of U.S. DOT hazmat registration number
- Shipping papers – No shipping papers; shipping papers not accessible
- Placards – No placards; vehicle not placarded correctly; prohibited placarding used; placard damaged, deteriorated, or obscured
- Emergency Response Information – No information; information not accessible





Hazardous Agricultural Materials Certificates

Transportation of Hazardous Materials

Vehicles transporting HazMat often require placards.

If placards are required, driver must have license with HazMat or tank endorsement.

CA exempts a person in ag from the endorsement requirement, if the person obtains a HAM certificate.



To obtain a HAM certificate, the person must:

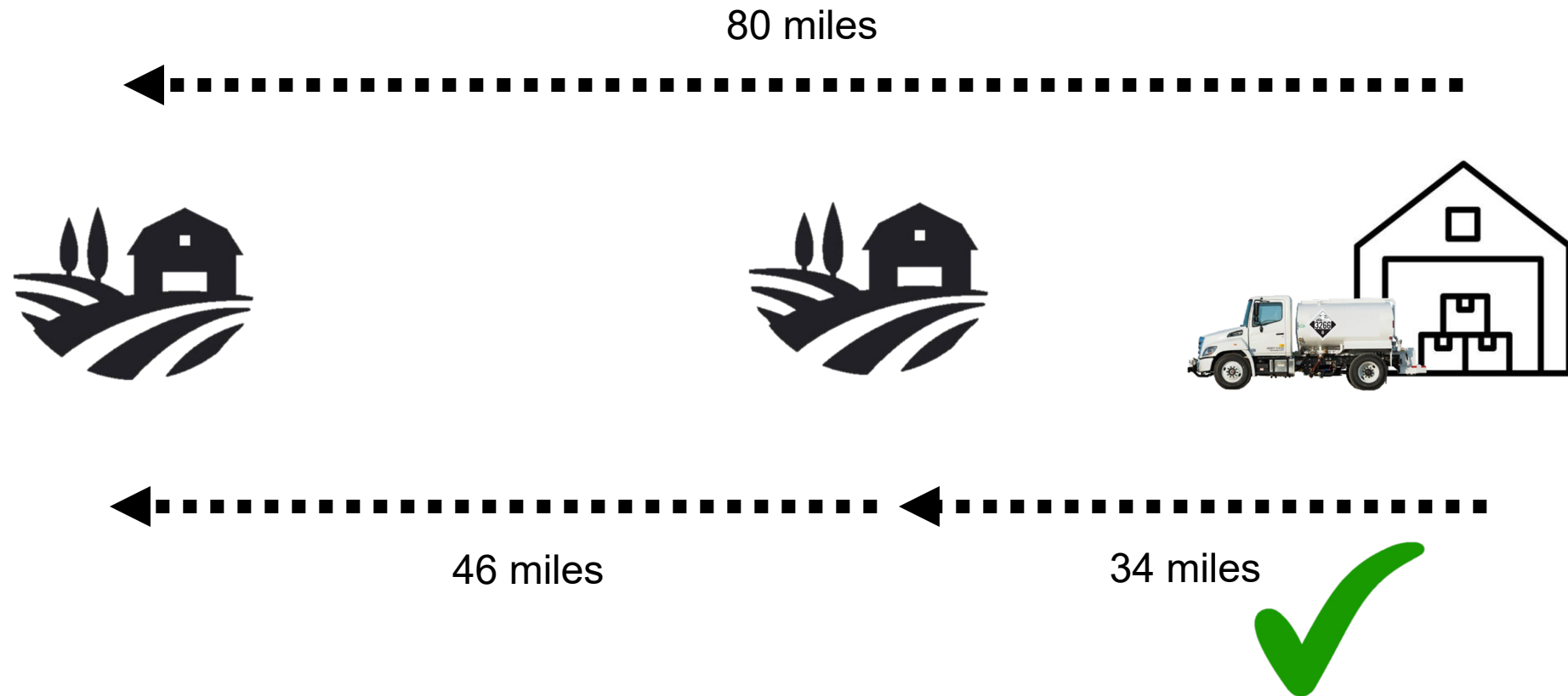
- Be at least 21 years old
- Be employed in agriculture
- Drive a non-CDL vehicle (< 26,001 lb) controlled by a farmer
- Transport agricultural products or agricultural machinery
- Operate the vehicle not more than 50 miles from farm to farm, or 50 miles from point of distribution to point of application
- Have, in the vehicle, a copy of CHP 344, *Hazardous Materials Transportation Basic Incident Safety Procedures*
- Have completed HazMat training
(re-training and HAM certificate renewal required every **3** years)

50-Mile Distance Explanation



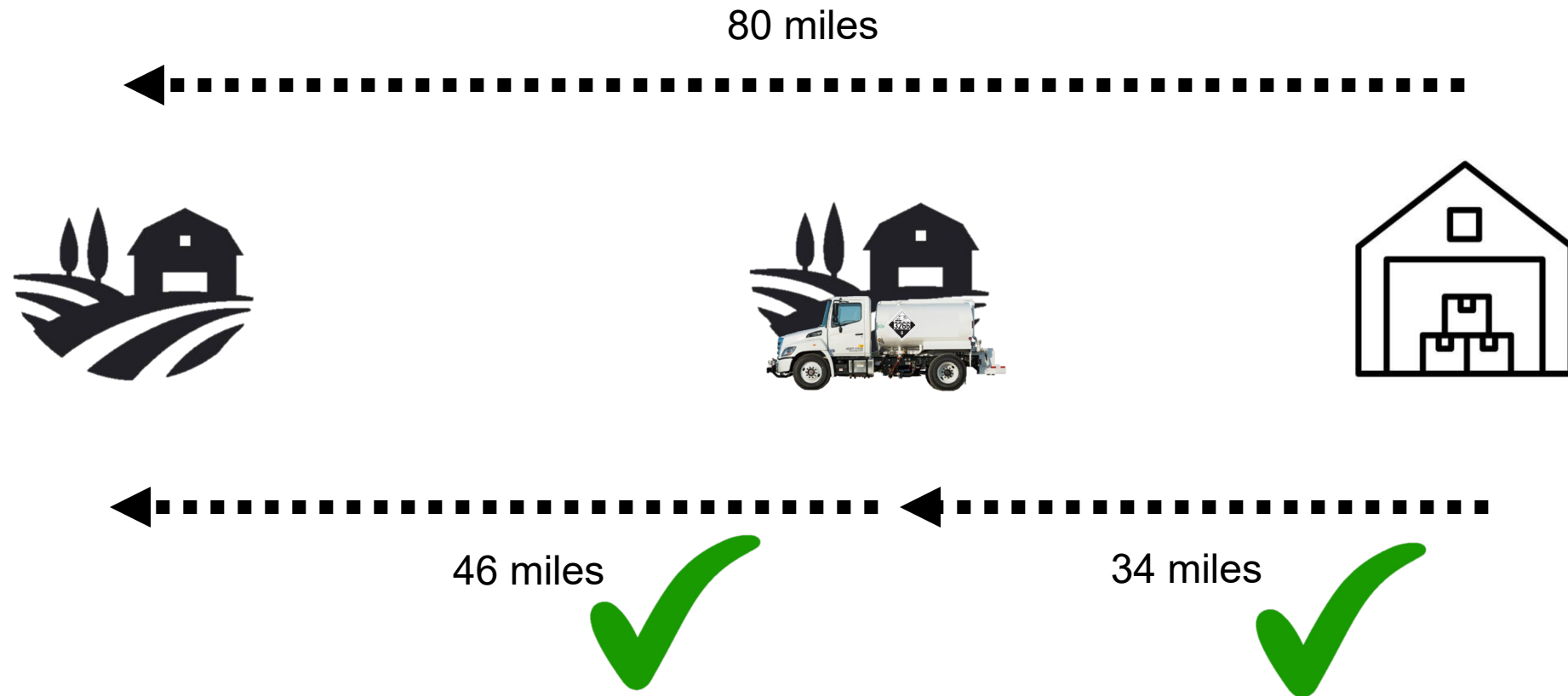


50-Mile Distance Explanation





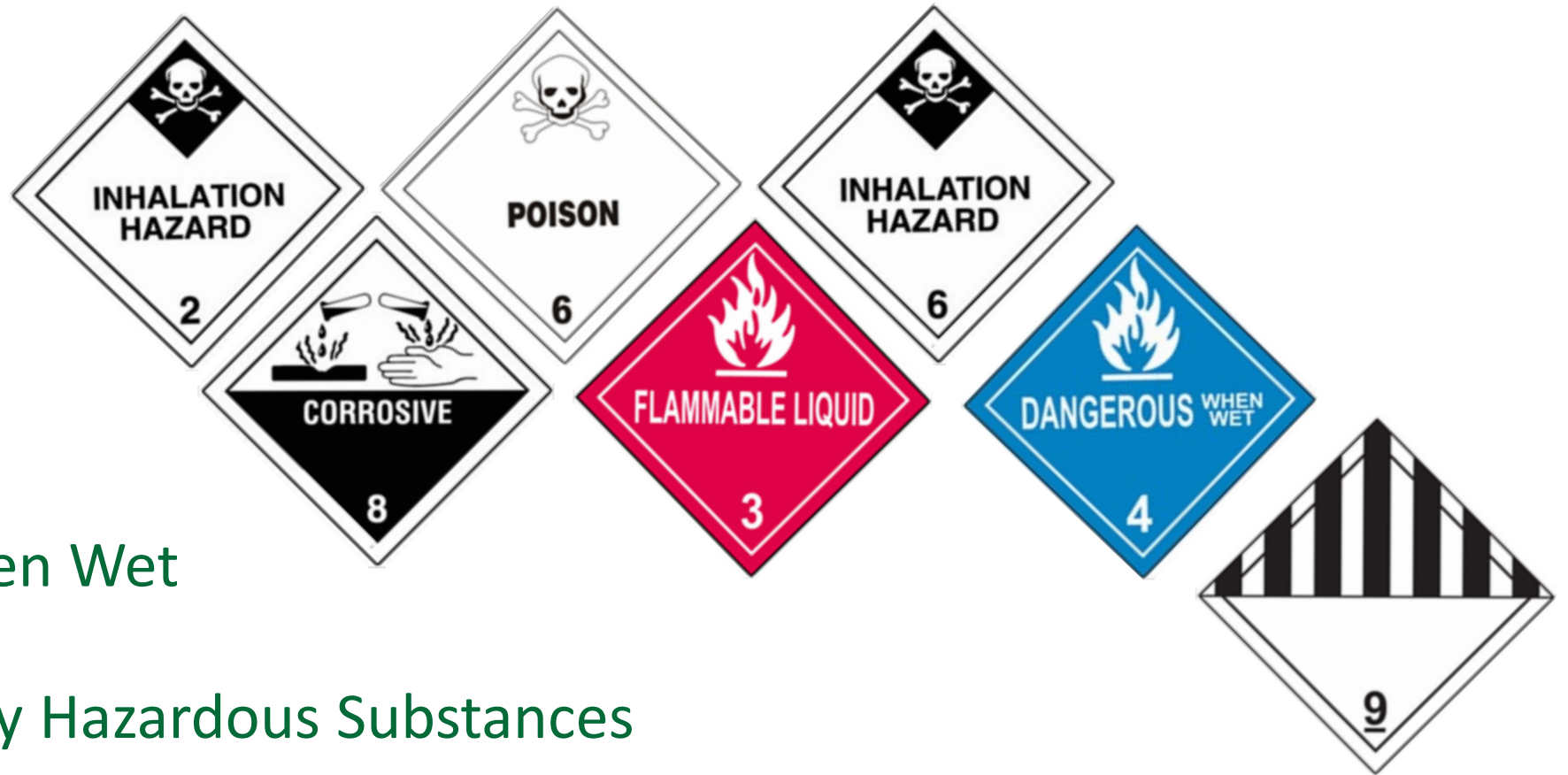
50-Mile Distance Explanation



What are the hazards of pesticides in transport?

Typically, pesticide products are:

- Poison
- Corrosive
- Flammable
- Dangerous When Wet
- Environmentally Hazardous Substances



Are pesticides mixed in a nurse truck DOT hazardous?

Maybe – the mixture might be:

- Environmentally Hazardous Substance
- Marine Pollutant
- Both
- Neither (no longer DOT regulated)





Special Permit requirements

1. Transport no more than 21 kg (one case); AND
2. Transport in the original box, OR pack it in UN Spec. packaging; AND
3. Ensure the package is labelled DANGEROUS WHEN WET and POISON, and marked “DOT-SP 13307”; AND
4. Stow the package in a metal box or metal cargo container.



or



Additional requirements for transporting WEEVIL-CIDE

Keep a current copy of the Permit:

- in each vehicle and
- at each facility

HazMat training must include conditions of the permit.

February 23, 2024

U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 13307
(SIXTH REVISION)
(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of the hazardous materials described in paragraph 6 below by private carriage without placards. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §172.504 in that placarding is not required, as specified herein.
5. BASIS: This special permit is based on the application of UPL NA Inc. dated November 17, 2023, submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2023114841

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Packing Group
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What if I do not meet those requirements?

You must transport it with placards, AND
Because it is HIGH hazard DANGEROUS WHEN WET , you must have a DOT
Transportation Security Plan!



Shipping Paper

You may be the Carrier,
Shipper and Consignee.

Hazardous Materials Straight Bill of Lading

Carrier		Date	
Consignee		Shipper	
Street		Street	
City		State	CA



Number of Packages	Type of Package	UN/ID	Proper Shipping Name	Haz. Class	PG	Total Gallons	Total Pounds	Placards	Product Name
	Non-bulk	UN3082	Environmentally hazardous substance, liquid, n.o.s., (abamectin) ERG No. 171	9	III			NONE	AGRI-MEK SC
	Nurse truck	UN3082	Environmentally hazardous substance, liquid, n.o.s., (abamectin) ERG No. 171	9	III				AGRI-MEK SC
	Non-bulk	UN3082	Environmentally hazardous substance, liquid, n.o.s., (indaziflam) ERG No. 171	9	III			NONE	ALION SC
	Nurse truck	UN3082	Environmentally hazardous substance, liquid, n.o.s., (indaziflam) ERG No. 171	9	III				ALION SC
	Non-bulk		Combustible liquid, n.o.s., (beta-cyfluthrin,						

Emergency Response Requirements

Must have the following in the vehicle:

- Emergency response information (such as the SDS or ERG); and
- Shipping paperwork with a 24-hour emergency telephone number.

SHIPPER: • FOR MORE ACCURATE RATING PROVIDE ZIP CODES • MARK HM COLUMN FOR HAZARDOUS MATERIALS
• FREIGHT CHARGES ARE TO BE PREPAID EXCEPT WHEN COLLECT BOX BELOW IS CHECKED

THE HELLON COMPANY

ORIGINAL SHORT FORM • NOT NEGOTIABLE • STRAIGHT BILL OF LADING

FREIGHT CHARGES ARE PREPAID UNLESS MARKED COLLECT

CHECK BOX IF COLLECT ☐

DATE SHIPPED	BILL OF LADING NUMBER	PURCHASE ORDER NUMBER	REFERENCE NUMBERS
SHIPPER (FROM) NAME		CONSIGNEE (TO) NAME	
STREET		STREET	
CITY		CITY	
STATE OR PROVINCE		STATE OR PROVINCE	
ZIP		ZIP	
ISLAND OR COUNTRY		ISLAND OR COUNTRY	
PHONE		PHONE	
24 HOUR EMERGENCY RESPONSE NUMBER		CONTACT NAME	
PHONE 1(800) XXX-XXXX		Your company	
BILL OF LADING DIFFERENT FROM ABOVE		FOR FREIGHT COLLECT SHIPPERS:	
NAME		NAME	
CITY		CITY	
STATE		STATE	
ZIP		ZIP	
PHONE		PHONE	
ROUTING INSTRUCTIONS: SEFL /		(Signature of Consignor)	

COD CANNOT EXCEED \$20,000.00

SAFETY DATA SHEET

ECOTOX ALFA SE

Substance / Preparation Name: ECOTOX ALFA SE

Form No:

1.1 Identification of the Preparation and of the Company

1.2 Use of Preparation

1.3 Identification of the Company

1.4 Emergency Telephone Number

2. COMPOSITION / INFORMATION ON INGREDIENTS

2.1 General Identification of Composition and Concentrations

2.2 Substances and Concentrations in Preparation

2.3 Hazardous Properties

2.4 Hazard Symbol and Risk Wording

2024 EMERGENCY RESPONSE GUIDEBOOK

A guidebook intended for use by first responders during the initial phase of a transportation incident involving hazardous materials/dangerous goods

CHP 516 Application Form

Once trained, mail the following to CHP:

- Completed CHP 516 application form
- A copy of a record of current training with:
 - Name of applicant
 - Training date within the last 3 years
 - Description or location of training materials
 - Name and address of the person who provided the training
 - Certification statement that applicant has been trained and tested



Exceptions

Materials of Trade Exception

Materials of Trade Exception allows you to transport HazMat without shipping papers, placards, emergency response info or formal training.

Applies if you transport HazMat to:

- Protect health & safety of vehicle operator or passengers
- Support operation or maintenance of vehicle
- **Directly support a principal business**



Materials of Trade – Quantities that may be transported

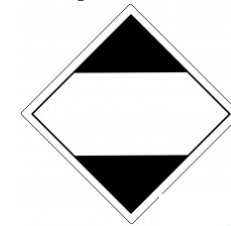
Maximum combined gross weight of **440 lb**.

Package size limits (does not include DANGEROUS WHEN WET):

- HIGH hazard – **1 lb** for solids, **1 pt** for liquids
- MEDIUM or LOW hazard – **66 lb** for solids, **8 gal** for liquids
- Limited Quantity – **66 lb** for solids, **8 gal** for liquids

Also:

- DANGEROUS WHEN WET (MEDIUM or LOW hazard) – **1 oz.**
- Cylinder of gas, Flammable or Non-Flammable – **220 lb**



Materials of Trade – Quantities that may be transported

Diluted mixture (2% or less) of a Class 9 material

- Maximum tank capacity **400 gal**
- Marked with UN ID number on two opposing sides
- Does not count towards the 440-pound limit



Materials of Trade – Additional Requirements

- Packaging must be manufacturer's original or equivalent.
- Marked with a common name or proper shipping name.
- Leak tight.
- Closed, secured against movement, protected against damage.



Materials of Trade – Additional Requirements

- Outer packagings not required for cans or bottles secured in cages, bins, boxes or compartments.
- Gasoline must be transported in a container meeting DOT or OSHA requirements, no larger than 8 gallons.



Materials of Trade – Prohibitions

You are PROHIBITED from transporting the following as MOTs:

- Poison gas



- DANGEROUS WHEN WET, HIGH hazard





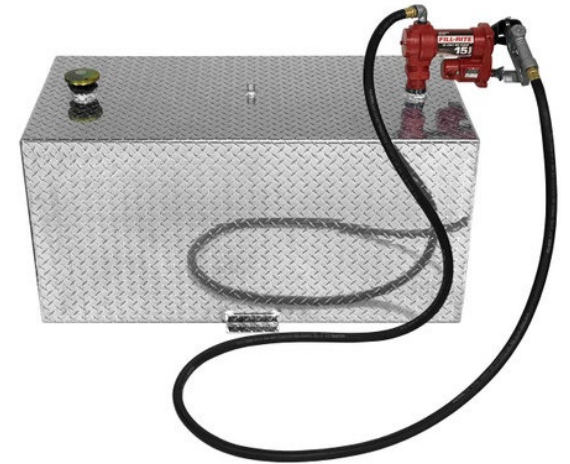
California Fuel Exception

California Fuel Exception

California allows you to transport fuels in a metal cargo tank, 119 gallons or less capacity, used to service vehicles or equipment.

The tank must:

- Comply with DOT construction requirements
- Be secured to vehicle
- Be protected should vehicle overturn





Can I transport a fuel tank and MOTs on the same vehicle?

NO.

California regulations state that “Carriers may not utilize both...exceptions simultaneously on the same vehicle or combination of vehicles.”

Questions?



May 26, 1926



Aboveground Storage Tanks in the Central Valley



Are these tanks?





Category 1



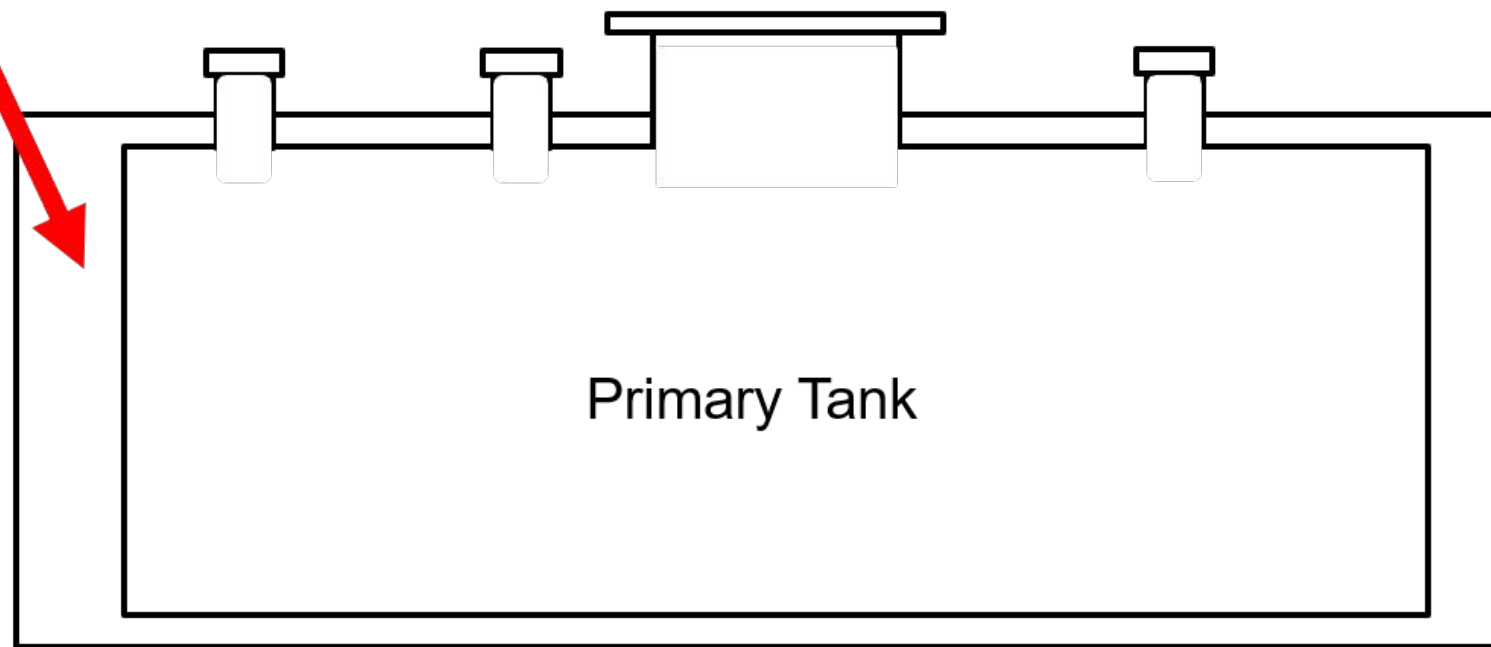
Category 2



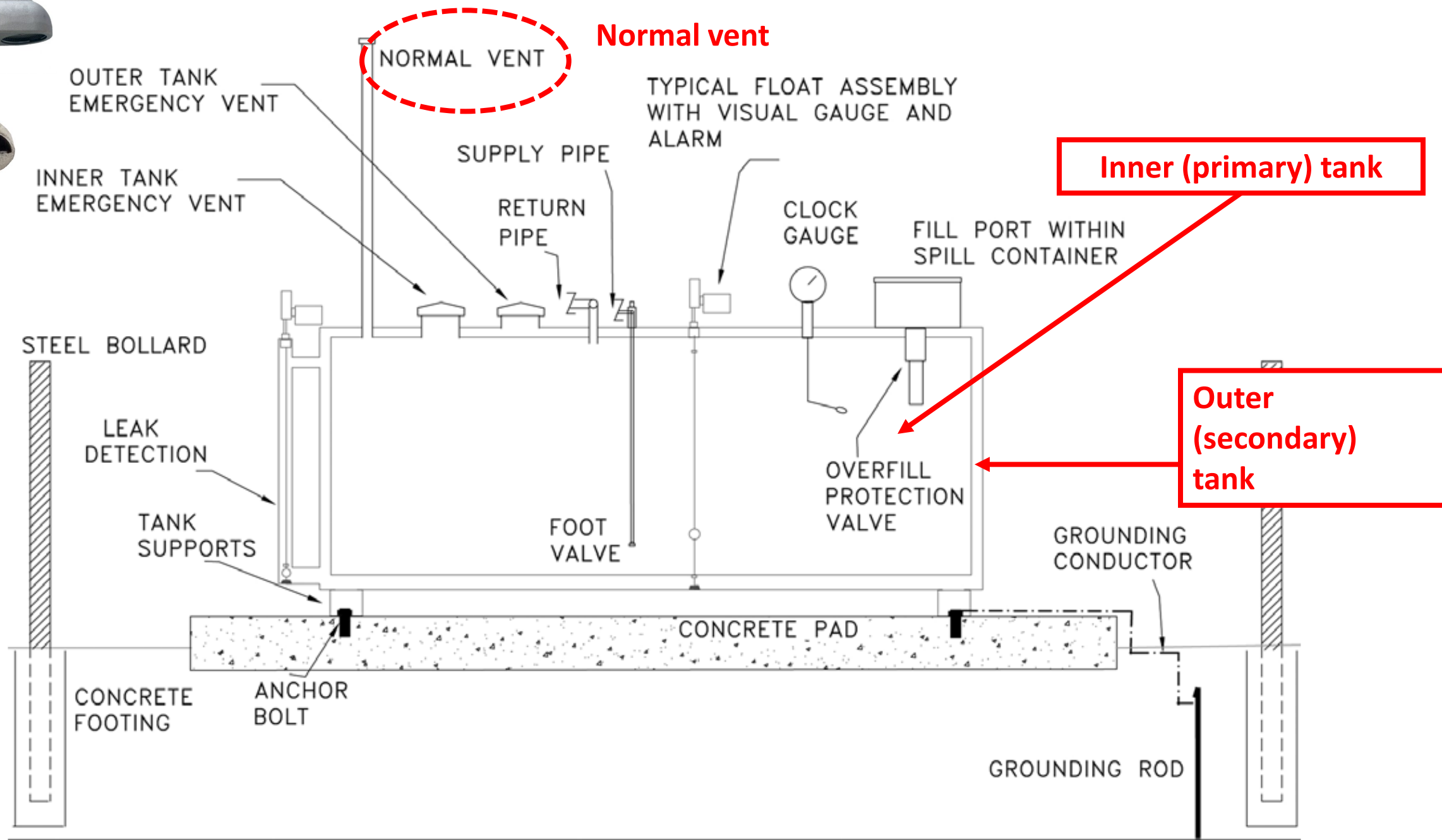
Category 3



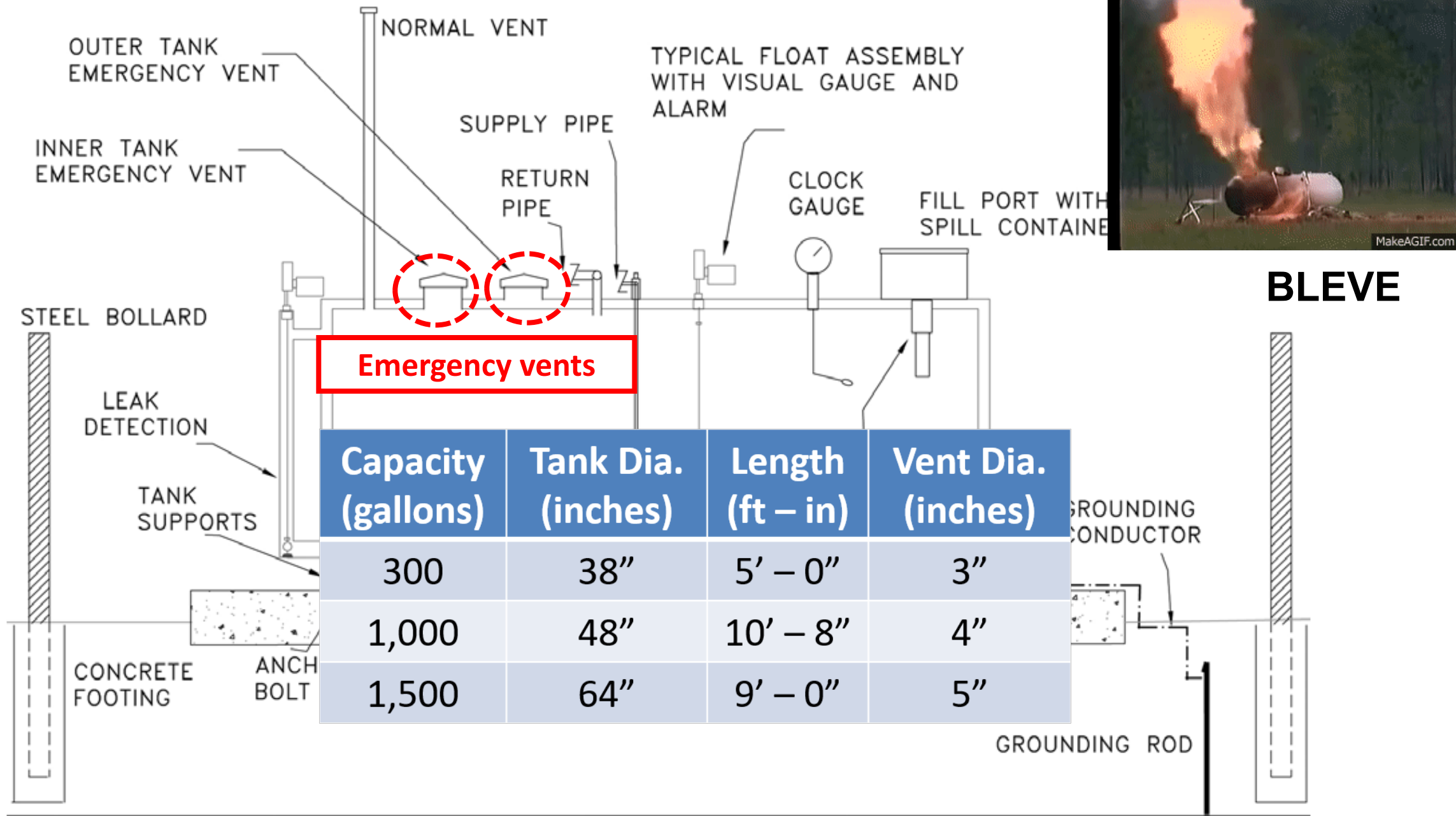
Secondary Tank



Primary Tank









Common Problems

Homemade Tanks

“Freshly painted tank with unapproved vents, no emergency venting, unapproved hose shutoff, unapproved tank for its use. Lack of labels and emergency venting indicates no UL listing for this tank.”

Hank Moore
Merced County Fire Marshal



Venting

These two photos
are of the top of a
1,000 gallon
gasoline AST.

No normal vent.

No emergency vent.



Unapproved Application

This tank was for collecting used oil.
It was a Shop-Fabricated tank,
not home-made.



Repairs

“Damaged tank from explosion: Tank ends are bowed outward. No emergency venting evident. Small grinder with wire brush wheel nearby.”

Hank Moore
Merced County Fire Marshal





Tank Inspections

Periodic Inspection

A visual, documented inspection conducted by the owner or owner's designee. Two types of inspections:

- Monthly
- Annual



Formal Inspection

A documented inspection conducted by a Certified Inspector.





Required Inspection Types and Frequencies (years)				
AST Type	Capacity (gal.)	Category 1	Category 2	Category 3
Shop-Fabricated	0 – 1100	Periodic	Periodic	Periodic, and E & L (10)
Shop-Fabricated	1101 – 5,000		Periodic, and E & L (10)	Periodic, E & L (5), and I (10) or Periodic, L (2), and E (5)
Shop-Fabricated	5,001 – 30,000	Periodic E (20)	Periodic, E (10), and I (20) or Periodic, E (5), and L (10)	Periodic, E & L (5), and I (10) or Periodic, L (1), and E (5)
Shop-Fabricated	30,001 – 75,000		Periodic, E & L (5), and I (15)	Periodic, E & L (5), and I (10)
Portable	55 or more	Periodic	Periodic	Periodic**

E = Formal External Inspection by Certified Inspector

I = Formal Internal Inspection by Certified Inspector

L = Leak Test

** Discontinue use or have it DOT tested and recertified per the following schedule:

- Plastic portable container - every 7 years
- Steel portable container - every 12 years
- Stainless Steel portable container - every 17 years



Type of AST	Repair or replace AST if:
Category 3	shell is less than 75% of original thickness at any point
Category 2	shell is less than 50% of original thickness at any point or more than 3 square inches of any one square foot of tank shell is less than 75% of original thickness
Category 1	shell is less than 25% of original thickness at any point or more than 3 square inches of any one square foot of tank shell is less than 50% of original thickness





Plastic Tanks

Plastic tanks break down from sun (UV) exposure.

The appearance of small cracks is called ***crazing*** – plastic degrades and becomes brittle.

Plastic tanks used outdoors have a life span of about **7 years**.





SPCC Plans

Purpose

To prevent spills of oil to “navigable waters”



What is “Oil”?

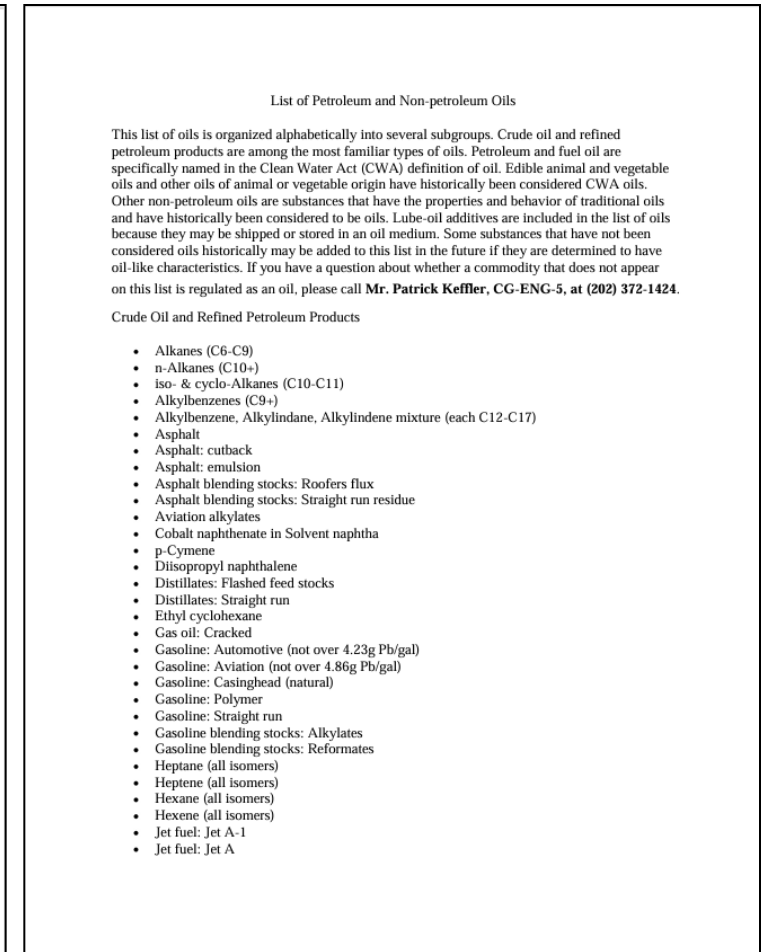
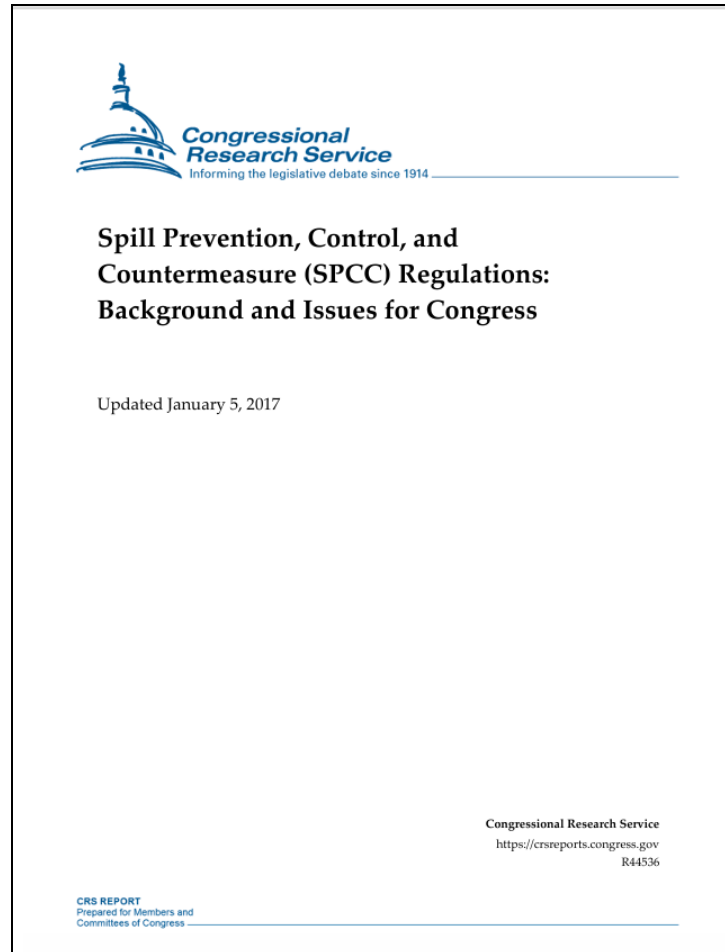
- Gasoline
- Diesel fuel
- Fuel oil
- Lubricating oil
- Hydraulic oil
- Used oil
- Petroleum grease
- Petroleum sludge

What is “Oil”?

- Gasoline
- Diesel fuel
- Fuel oil
- Lubricating oil
- Hydraulic oil
- Used oil
- Petroleum grease
- Petroleum sludge
- Oil mixed with waste
- Synthetic oil
- Mineral oil
- Vegetable oil
- Animal fat
- Beeswax

Resources for SPCC Plan Applicability

- Spill Prevention, Control, and Countermeasure (SPCC) Regulations: Background and Issues for Congress
- USCG List of Petroleum and Non-petroleum Oils



SPCC Plan Applicability

Except for farms, facilities subject to rule if they meet at least one of the following:

- aboveground aggregate oil storage capacity greater than 1,320 gal.
- completely buried oil storage capacity greater than 42,000 gal.

Containers **55 gallons** or larger must be included in determining aggregate storage.



Farming Exclusion

Exclusion from all SPCC regulations:

A farm with an aggregate storage capacity:

- less than 2,500 gallons, or
- less than 6,000 gallons and no reportable discharge history

SPCC regulations do not apply to containers with:

- an individual storage capacity of 1,000 gallons or less

CA Farms and APSA

California Aboveground Petroleum Storage Act (APSA) covers tanks much like the SPCC rule but includes any Tank In An Underground Area (TIUGA), 55 gallons or larger.

Questions?

