



COMMONWEALTH of VIRGINIA

Department of Agriculture and Consumer Services

Division of Consumer Protection

Office of Pesticide Services

P.O. Box 1163, Richmond, Virginia 23218

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Matthew J. Lohr
Commissioner

September 23, 2010

MEMORANDUM

TO: Neil Clark, Extension Agent
Southampton County

FROM: Jeffrey Rogers, Environmental Program Planner
Office of Pesticide Services

Handwritten initials 'JR' in black ink.

SUBJECT: 2010 Plastic Pesticide Container Recycling Program – MOA

Attached is the Memorandum of Agreement (MOA) for the 2010 Plastic Pesticide Container Recycling Program. The MOA details the responsibilities of your locality and the Virginia Department of Agriculture and Consumer Services (VDACS).

Please review and forward to your County Administrator/City Manager (or other authorized official) requesting their signatures as execution of the MOA. Please return the signed MOA to me for execution by VCE and VDACS. Upon Department execution, a copy of the MOA will be returned for your files.

If you have any questions, please do not hesitate to contact me at 804-371-6561 or at jeffrey.rogers@vdacs.virginia.gov.

Thank you.

Attachment

MEMORANDUM OF AGREEMENT
between
VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
and
SOUTHAMPTON COUNTY

PURPOSE:

This Agreement establishes the roles and responsibilities of the Virginia Department of Agriculture and Consumer Services (VDACS) and Southampton County in conducting the 2010 Plastic Pesticide Container Recycling Program. The Virginia Plastic Pesticide Container Recycling Program assists agricultural producers, pesticide dealers and pest control firms to recycle properly rinsed plastic pesticide containers.

PROJECT PERIOD: January 1, 2010 through December 31, 2010.

VDACS RESPONSIBILITIES:

1. **Administer the statewide Program.** VDACS shall administer and provide oversight of the statewide Program by:
 1. establishing guidelines for statewide Program;
 2. approving local government programs;
 3. scheduling the granulation of containers; and,
 4. monitoring each local program to ensure their adherence to established guidelines.

2. **Reimburse Southampton County up to the amount of \$ 1,875 to support the costs of the Program.** VDACS shall reimburse Southampton County for actual local program expenses for the administration of the 2010 Plastic Pesticide Container Recycling Program incurred during the project period (January 1 – December 31, 2010) up to \$1,875. All expenses must be directly related to the Plastic Pesticide Container Recycling Program and may include: construction, rental, and material costs related to the establishment of a collection site; salaries, wages, and fringe benefits for container inspection and administration of the Program; travel expenses, safety equipment purchases, incentives and training materials related to the Program. Reimbursement shall be made upon receipt of an activity report and expense reimbursement request, including receipts, for the project period (January 1 – December 31, 2010).

3. **Provide educational materials for use by Southampton County for distribution to participants.** VDACS shall provide, upon request, educational materials (slide series, videotapes, pamphlets, etc.) which illustrate the proper procedures for rinsing pesticide containers, pesticide container inspection checklists, wellhead protection and the overall recycling program. VDACS shall also assist Southampton County in educating participants in the recycling program, upon request.

4. **Provide training for pesticide container inspectors.** VDACS shall, upon request, train Southampton County pesticide container inspectors to properly inspect pesticide containers for cleanliness and educate participants in proper rinsing procedures. All pesticide container inspectors must complete this training.
5. **Provide jet-rinse nozzles as requested.** VDACS shall provide, upon request, a limited supply of jet-rinse nozzles to Southampton County to assist in promoting the recycling program, upon request. The jet-rinse nozzles shall be distributed to agricultural producers, pesticide dealers and pest control firms who agree to recycle their plastic pesticide containers, until supplies run out.
6. **Coordinate the scheduling for the granulation of pesticide containers.** VDACS shall coordinate the scheduling for the granulation of pesticide containers at Southampton County collection site. It is anticipated that 1-2 visits will be made during the 2010 Program to granulate the collected containers.

SOUTHAMPTON COUNTY RESPONSIBILITIES:

1. **Develop plan to administer the Recycling Program.** Southampton County shall develop a written plan for implementing and administering the Plastic Pesticide Container Recycling Program for their locality and submit the plan to VDACS for concurrence. The written plan must address the following topics:
 1. location of collection site(s);
 2. collection site(s) hours of operation;
 3. method for storing accepted containers;
 4. pesticide container inspection personnel; and,
 5. handling containers rejected by granulator.
2. **Administer the Plastic Pesticide Container Recycling Program in Southampton County.** Southampton County shall administer the local Program by:
 1. establishment of a secure, covered recycling site;
 2. employment and supervision of container inspector(s);
 3. removal of all plastic pesticide sleeves or labels prior to placement in the recycling storage facility;
 4. inspection of all plastic pesticide containers to assure cleanliness in accordance with established guidelines;
 5. assisting the recycling contractor during the processing and granulation of the containers; and,
 6. submission of an activity report and expense reimbursement request, including receipts, for the project period (January 1 – December 31, 2010) to VDACS by January 31, 2011.

3. **Execute documentation transferring container ownership to granulator.**
Southampton County shall execute and sign the documentation transferring ownership of the containers to the recycling contractor.

4. **Educate agricultural producers about proper pesticide container rinsing procedures and the Recycling Program.** Southampton County, through Virginia Cooperative Extension (VCE), shall promote the value of recycling plastic pesticide containers to the agricultural community. VCE shall educate agricultural producers about proper pesticide container rinsing procedures and the Recycling Program through the distribution of educational materials and presentations at growers' meetings.

5. **Distribute jet-rinse nozzles to participating agricultural producers.** To promote the recycling program and encourage participation, Southampton County, through VCE, shall distribute VDACS-supplied jet-rinse nozzles to agricultural producers, pesticide dealers and pest control firms agreeing to participate in the Program.

This Memorandum of Agreement has been reviewed and is recommended for approval:



Liza J. Fleeson
Program Manager
Virginia Department of Agriculture
and Consumer Services

9/23/10

DATE

Alan Grant, Ph.D.
Interim Director
Virginia Cooperative Extension

DATE

Approved by:

Michael W. Johnson
County Administrator
Southampton County

DATE

Matthew J. Lohr
Commissioner
Virginia Department of Agriculture
and Consumer Services

DATE

SOUTHAMPTON COUNTY PLASTIC PESTICIDE RECYCLING PROGRAM

Plan To Administer Recycling Program

- Site of Collection:** Two truck trailers will be stationed at the overflow parking area behind the Extension office on Rt. 35 north of Courtland will be the collection site and shall administer the Plastic Pesticide Recycling Program. Properly rinsed HDPE (Type 2) plastic pesticide containers will be accepted from local farmers free of charge for recycling. Pesticide containers will be stored in a secured covered recycling bin.
- Container Inspectors:** Neil Clark with Virginia Cooperative Extension (VCE) will inspect the containers to ensure they are properly rinsed and prepared for granulation. Volunteers and a representative from VCE will be available to assist the contractor with granulation of pesticide containers.
- Inspection of Containers:** A trained employee will inspect all plastic pesticide containers to assure cleanliness per Agricultural Container Research Council (ACRC) guidelines. Containers accepted will then have their caps removed, but labels left on before temporary storage in the box trailer. Documentation of training of employees will be maintained.
- Ownership of Containers:** Southampton County will assume ownership of all properly rinsed plastic pesticide containers until granulation at which time OMC will transfer ownership to the contractor conducting the granulation. Any reject containers by the granulation contractor will be disposed of in the landfill.
- Expenses:** Southampton county and VCE will provide the collection site, storage, and employees to inspect, collect, and assist with granulation. Southampton County will submit invoices of expenses for reimbursement to VDACS by January 31, 2011 for the reporting period January 1 – December 31, 2010.
- Education:** Southampton County, through VCE, shall promote the value of recycling plastic pesticide containers to the agricultural community. VCE shall educate agricultural producers about proper pesticide container rinsing procedures and the recycling program through direct distribution of educational materials, presentations at growers' meetings, and on-farm visits. VCE shall also distribute VDACS supplied jet-rinse nozzles to agriculture producers participating in the program.

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OFFICE OF PESTICIDE SERVICES**

**2010
PLASTIC PESTICIDE CONTAINER
RECYCLING PROGRAM GUIDELINES**

For Additional Information Contact:

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[Revised March 15, 2010]

**VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
OFFICE OF PESTICIDE SERVICES**

2010 PLASTIC PESTICIDE CONTAINER RECYCLING PROGRAM GUIDELINES

These guidelines detail the Plastic Pesticide Container Recycling Program, including the responsibilities of the Virginia Department of Agriculture and Consumer Services, Office of Pesticide Services (VDACS), Virginia Polytechnic Institute & State University Cooperative Extension (VCE) and local governments participating in the program.

PURPOSE

The Plastic Pesticide Container Recycling Program is designed to provide **agricultural producers, pesticide dealers and pest control firms** an environmentally responsible alternative for the disposal of properly rinsed plastic pesticide containers. Properly rinsed pesticide containers are considered solid waste and **may** legally be discarded at sanitary landfills if allowed by the locality. This program functions to effectively remove a significant volume of waste plastic from the Virginia ecology. In addition, for those localities that do not have sanitary landfills, this program provides a viable option for pesticide end-users to dispose of their pesticide containers.

The Plastic Pesticide Container Recycling Program is open to any Virginia locality. Localities must make an application to VDACS to request participation detailing how they plan to implement the Program and meet their responsibilities as outlined in these Guidelines. If funding is not available to approve all applications received, VDACS will select participating localities.

PROJECT PERIOD

January 1, 2010 through December 31, 2010

PROVISIONS

1. The Program is for the recycling of **properly rinsed HDPE plastic pesticide containers**. Containers can be accepted up to and including 55 gallon drums. Mini -bulks are also accepted into the program, however, must be segregated, free of all metal and cut into at least quarters. In addition to pesticide containers, agricultural chemical containers such as crop oil, surfactant, adjuvant, fertilizer, and micro-nutrient containers can also be accepted for recycling. The Program is **not** intended for the recycling of household plastic containers (i.e.: milk jugs, soft drink bottles, detergent bottles), veterinary product containers, home and garden pesticide containers or motor oil containers.

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2. Local governments will administer their local program in accordance with the established guidelines.
3. Local governments, VCE and VDACS will promote the benefits of recycling plastic pesticide containers to the pesticide user community.
4. The Program must be offered by the locality to participants at no cost.
5. VDACS will reimburse each participating locality for actual local program expenses up to the amount of \$ 1,875 incurred during the project period (January 1 – December 31, 2010). **All expenses must be directly related to the plastic pesticide container recycling program.** Reimbursements will be made upon receipt of an activity report and expense reimbursement request, including receipts, for expenses incurred during the project period. **Requests for reimbursement, including receipts and activity reports for the 2010 project period must be submitted to VDACS by January 31, 2011.**
6. VDACS will, upon request, provide educational material and training for all pesticide container inspectors.
7. VDACS will coordinate the scheduling of container granulation at all collection sites.
8. Localities must make an application to VDACS for initial participation in the Recycling Program with VDACS making the decision on participating localities.
9. Localities having previously participated in the Recycling Program may continue to participate by notifying VDACS of their intent in writing. If the administration plan has or will be changed from the previous year, a new plan must be submitted.

VDACS RESPONSIBILITIES

1. **Administer the statewide Program.** VDACS will administer the statewide Program including:
 - a. selecting and approving participating local government programs
 - b. scheduling the granulation of containers; and,
 - c. monitoring each local program to ensure their adherence to established guidelines.
2. **Initiate a Memorandum of Agreement with localities.** VDACS will initiate a Memorandum of Agreement (MOA) with local governments establishing the responsibilities

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of each. VDACS may withdraw support, including funding, from the local government if VDACS determines that the local program is not adhering to the MOA and local government responsibilities as outlined in the established guidelines.

3. **Reimburse local program expenses up to the amount of \$ 1,875 to each participating locality to support the costs of the Program.** VDACS will reimburse actual local expenses for the administration of the Plastic Pesticide Container Recycling Program up to the amount of \$ 1,875 per locality for expenses incurred during the project period (January 1 – December 31, 2010). Reimbursable expenses may include construction, rental, and material costs related to the establishment of a collection site, salaries, wages, and fringe benefits for container inspection and administration of the Program, travel expenses, safety equipment purchases, and training materials related to the Program. Reimbursements will be made upon receipt of an activity report and expense reimbursement request including receipts, for expenses incurred during the project period (January 1 – December 31, 2010).
4. **Provide educational materials for use by localities or distribution to participants.** VDACS will provide, upon request, educational materials (slide series, video tapes, pamphlets, etc.) which focus on the proper procedures for rinsing pesticide containers, pesticide container inspection checklists, wellhead protection and the overall recycling program. VDACS will also provide assistance to localities in educating participants in the recycling program, if requested by the locality.
5. **Provide training for pesticide container inspectors.** VDACS will conduct, upon request, training seminar(s) for local pesticide container inspectors to enable them to properly inspect pesticide containers for cleanliness and educate participants in proper rinsing procedures. See Appendix for information related to "*Plastic Pesticide Container Acceptability Standards And Inspection Procedures*".
6. **Provide jet-rinse nozzles to the local government.** VDACS will, if available and upon request, provide jet-rinse nozzles to the local government to assist in promoting the recycling program. The jet-rinse nozzles will be distributed to agricultural producers agreeing to participate in the local program. Only a limited supply of nozzles will be available.
7. **Coordinate the scheduling for the granulation of pesticide containers.** VDACS will coordinate the scheduling for the granulation of pesticide containers at all collection sites. It is anticipated that 1-2 visits will be made to each locality during the 2010 Program to granulate the collected containers. The granulation contractor will remove all granulated plastic from the site at the time of granulation.

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LOCAL GOVERNMENT RESPONSIBILITIES

1. **Develop plan to administer the Recycling Program.** The local government, with the assistance of VCE, will develop a written plan for implementing and administering the Plastic Pesticide Container Recycling Program for their locality and submit the plan to VDACS. The plan will address how the locality will administer the program covering the points outlined in 2. below:
2. **Administer the Plastic Pesticide Container Recycling Program in their locality.** The local government will administer the local Program, including:
 - a. establishment of a **secure, covered recycling site**;
 - b. employment, training and supervision of container inspector(s) including:
 - i. identification of container inspector(s)
 - ii. documentation of training of container inspector(s)
 - c. inspection of all plastic pesticide containers to assure cleanliness per Agricultural Container Recycling Council (ACRC) guidelines.
www.acrecycle.org/pdf/inspect_chklist_english.pdf or
www.acrecycle.org/pdf/inspect_chklist_spanish.pdf
 - d. providing sufficient personnel to assist the recycling contractor in the processing of the containers; and,
 - e. submission of activity report and expense reimbursement request, including receipts, for the project period (January 1 – December 31, 2010) to VDACS by January 31, 2011. Reimbursable expenses may include construction, rental, and material costs related to the establishment of a collection site, salaries, wages, and fringe benefits for container inspection and administration of the Program, travel expenses, safety equipment purchases, and training materials related to the Program.
3. **Execute documentation transferring container ownership to granulator.** The local government will execute and sign the documentation transferring ownership of the containers to the recycling contractor.
4. **Implement a Memorandum of Agreement with VDACS.** The local government will implement a MOA with VDACS that outlines their responsibilities and the responsibilities of VDACS as described in these guidelines.

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VCE RESPONSIBILITIES

1. **Educate agricultural producers about proper pesticide container rinsing procedures and the Recycling Program.** VCE will promote the value of recycling plastic pesticide containers to the agricultural community. VCE will educate agricultural producers about proper pesticide container rinsing procedures and recruit participants in the Recycling Program through the distribution of educational materials and presentations at growers' meetings.
2. **Distribute jet-rinse nozzles to participating agricultural producers.** To promote the recycling program and encourage participation, VCE will distribute VDACS-supplied jet-rinse nozzles, if available, to agricultural producers agreeing to participate in the Program.

APPENDIX

**PLASTIC PESTICIDE CONTAINER ACCEPTABILITY
STANDARDS AND INSPECTION PROCEDURES**

PLASTIC PESTICIDE CONTAINER ACCEPTABILITY STANDARDS AND INSPECTION PROCEDURES

The Program is for the recycling of **properly rinsed HDPE plastic pesticide containers**. In addition to pesticide containers, related agricultural chemical containers such as crop oil, surfactant and adjuvant containers can also be accepted for recycling, as long as they are properly rinsed and HDPE. The Program is **not** intended for the recycling of household plastic containers (i.e.: milk jugs, soft drink bottles, detergent bottles), veterinary product containers, home and garden pesticide containers or motor oil containers.

Pesticide containers accepted for recycling must be as free of pesticide residues as practical in order to assure that the recycled resin is as free of pesticide residue as possible. Plastic resin contaminated with high levels of pesticide residues will be difficult or impossible to use. Plastic resin with little or no detectable pesticide residues will, on the other hand, be a valuable commodity that can be used for a number of different products.

The only practical assurances the recycler has that the granulated containers they receive have the lowest pesticide residues possible is the integrity of the process by which the containers are inspected and accepted for recycling. This document explains a simple procedure by which the containers can be inspected quickly, and, if the process is applied consistently, the plastic resin produced will have acceptable levels of pesticide residues.

Every container that is accepted for recycling must be inspected using the procedure outlined below. Occasional samples of containers or granulated flake will be taken for chemical analysis.

CONTAINER ACCEPTABILITY STANDARDS

In order to be accepted for recycling, the container must meet the standards outlined below.

1. Lack of Visible Pesticide Residue

The container acceptable for recycling must have no pesticide residue on the inside or outside of the container. Visible residue is any powder, flake, or colored or dark fluid on the inside or outside of the container. In short, if there is any solid or liquid other than pure water in the container, the container is not acceptable. Residue on the outside of the container is equally unacceptable.

There are three exceptions to the above rule. If the container held 1) a crop oil or a nutritional spray; 2) an adjuvant or surfactant; or 3) a *Bacillus thuringiensis* product as

the sole active ingredient, the presence of residue will not disqualify it for acceptance. Residue is acceptable for these containers because of the extremely low toxicity of the materials. If the container has free product - i.e., it has not been rinsed - then the container cannot be accepted for recycling.

2. Lack of Water in Container

The containers accepted for recycling must have little or no water in them. The amount of water acceptable in the container is less than 0.5 fluid ounces (15 milliliters). In order for this amount of water to be acceptable, the water must be clear - not milky, cloudy, colored, or dark.

3. Evidence of pressure-rinsing or triple-rinsing

In order to be legally acceptable, the container must have been triple-rinsed or pressure-rinsed. This determination must be made by checking the exterior of the container for puncture holes made by a pressure rinser, or cuts made after rinsing. Lack of free product, pesticide, pesticide residues, or discolored water is also evidence of rinsing. Statements by operators that they have rinsed the containers are also evidence however such statements should be supported by corroborating evidence. If free product is present in the container, this can be used as evidence that the containers **were not** triple rinsed or pressure rinsed, and the container rejected for recycling.

4. Caps OFF

Containers should have the caps off. If caps are on, the cap must be removed and examined for pesticide residue. If residue is present on the cap or pesticide container threads, the container cannot be accepted. **Foil seals should also be removed.**

5. Labels ON

The containers should have the labels on. Labels provide the inspector with positive identification of the material being handled and are, therefore, an important part of safe container handling. In addition, if the container is rejected, and the pesticide applicator wishes to rinse the container out and re-apply the resulting rinse water, if the label is missing, the task of assuring a legal pesticide application is complicated. **The inspector should remove any plastic shrink wrap labels or label booklets after accepting the container prior to depositing in storage facility.** Containers with labels removed can still be accepted, but some effort should be made to determine the type of material it contained.

INSPECTION PROCEDURE

Every container that is being offered for recycling must be inspected.

The inspection procedure itself is very simple. The inspector picks up the container and looks at all outside surfaces, then looks **down** into the container though into the pour spout. Never lift the container over your head to look into the container.

If the container is too large to pick up (e.g., a thirty or thirty-five gallon drum) the inspector should examine the outside by walking around it or rolling it, and then look into the largest bung hole. It may be necessary to use a flashlight on dark colored drums.

The basic inspection procedure is a visual inspection of the container to ensure the following standards are achieved:

1. Lack of visible residue

The presence of residue is indicated by any of the following things in or on the container:

- a. powder
- b. flakes
- c. caked material
- d. discolored water (non-clear water)
- e. dried material
- f. any other residue on the surface of the plastic

Stains may be present. If the staining appears to be embedded in the plastic, and no discolored water is present, then the container may be acceptable. Containers that held triazine herbicides are usually stained, but can still be accepted if there is no visible residue on the surface of the plastic, and no discolored water. The acceptability of these containers should be verified with the recycler.

In some cases sand or other soil may get into containers. This is acceptable as long as no other residues are noted, the other standards are met, and the amount of soil in the containers does not interfere with the machines used for the granulation of the containers.

2. Lack of Water

Water in the container is not acceptable if it exceeds 0.5 fluid ounces (15 ml). In a standard 2.5 gallon container, 0.5 fluid ounces will collect in one corner of the container when the container is tipped and be slightly larger than the diameter of a quarter. (Place 0.5 fluid ounces in a container to become familiar with what this amount of water looks

like.) To inspect for this, look through the pour hole and tilt the container so that all the water will move into one corner of the bottom of the container.

If the volume in the corner appears to exceed 0.5 fluid ounce, the container should be rejected. Never pour out any water from containers.)

3. Evidence of triple- or pressure-rinsing

Evidence of triple-rinsing or pressure-rinsing will be a combination of the lack of the presence of free produce, and the presence of evidence of rinsing activity. If the container has no pesticide inside or residue visible, then it has probably been properly rinsed.

Containers that have not been pressure-rinsed should have been triple-rinsed. Although there will not be a distinct hole as in the case of the use of a pressure rinse nozzle, triple-rinsed containers may have been cut or otherwise punctured to make them unusable.

Safety Considerations

Inspectors should always take appropriate safety precautions when inspecting containers. The containers may have residues of extremely toxic substances remaining in them - chemicals that can make the inspector ill or even be fatal. Always wear, at a minimum, long pants, shirt with long sleeves, rubber gloves and socks and shoes. If a large number of containers have free product in them and contain pesticides that may require a respirator for mixing and loading operations, then a respirator should be worn during the inspection.

Never lift a container over your head to look into the opening. Always look down into a container. Always treat a container as if it contained free product until after you have safely inspected it and determined that there is no pesticide in the container. If a container has free product in it, return it to the owner for proper handling.

If the majority of the containers offered for recycling contains free product, halt the inspection and require the container owner to clean the containers before further inspection. **Personal safety, not the amount of containers inspected, should always be the major consideration.**