

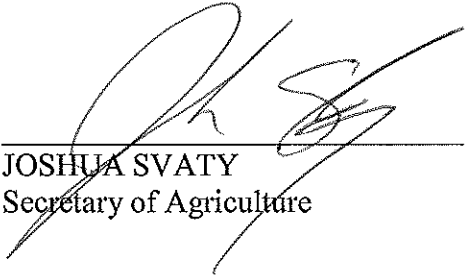
Kansas Department of Agriculture  
Policy Statement  
Anhydrous Ammonia Mobile Container Marking

The purpose of this policy is to allow a reasonable time for owners of mobile anhydrous ammonia containers to come into compliance with the new marking requirements in the anhydrous ammonia regulations.

The Kansas Department of Agriculture adopted changes to the anhydrous ammonia regulations which became effective March 12, 2010. K.A.R. 4-10-4b(f)(1) requires each mobile anhydrous ammonia container to be marked with the words "ANHYDROUS AMMONIA" or "Anhydrous Ammonia" on both sides and the rear of the container. K.A.R. 4-10-4b(g)(2) requires each mobile anhydrous ammonia container to be marked with the address of the owner's place of business. These requirements replaced requirements for marking mobile containers previously set forth in K.A.R. 4-10-6(d)(1).

If, during the course of an inspection, a mobile anhydrous ammonia container is marked in compliance with the Kansas Fertilizer Law and regulations promulgated thereunder that were in effect prior to March 12, 2010, but is not marked in compliance with current regulations, KDA will limit enforcement action for this violation to a written notice of non-compliance until July 1, 2012.

After July 1, 2012, KDA will pursue enforcement action under the Kansas Fertilizer Law regarding the marking of mobile anhydrous ammonia containers, including the issuance of stop use orders and civil penalty orders.

  
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JOSHUA SVATY  
Secretary of Agriculture

5/18/10  
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Dated