



White Earth Reservation Division of Natural Resources Bulk Pesticides & Fertilizers Permit Application



Warning: ALL information and supporting documents submitted as part of this application become public information. Omission to any data request will delay the processing of your application and may result in its denial.

Who Applies: Any individual, business, or organization that intends to store, handle, transport, or distribute bulk pesticides and/or fertilizers within the jurisdiction of the White Earth Reservation must apply for this permit. This includes tribal enterprises, corporations, partnerships, LLCs, and sole proprietors.

Proceeding without a permit: It is unlawful to store, apply, transport, or dispose of pesticides within the White Earth Reservation without proper licensing or certification. Violations may result in civil penalties up to \$5,000 per day, criminal penalties up to \$10,000 per day for enrolled Band members, and enforcement actions including inspections, stop-use orders, or legal proceedings (W.E.E.C. 300.07–300.10).

PART I: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person **must** be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: _____

Mailing Address: _____

City, State, Zip code: _____

Phone: _____ Email Address: _____

Business Name (if applicable): _____

Tribal Affiliation (please provide enrollment number if applicable): _____

Authorized Agent: _____ Agent Phone: _____

Designated Representative Information

Designated Representative: _____

Mailing Address: _____

City, State, Zip code: _____

Phone: _____ Email Address: _____

Business Name: (if applicable): _____

Contractor Information (if applicable)

Business Name: _____

Mailing Address: _____

City, State, Zip code: _____

Phone: _____ Email Address: _____

License Number: _____

PART II: Property Information

Physical Address: _____

City/Township: _____ County: _____

Legal Description: _____

Zoning Classification: _____ Parcel ID: _____

PART III: General Project/Site Information

Overview of Operations: (Check all that apply)

☐ Bulk Pesticide Storage

☐ Dry Fertilizer Storage

☐ Retail/Whole Sales

☐ Bulk Pesticide Repackaging

☐ Mixing or blending

☐ Other:

☐ Liquid Fertilizer Storage

☐ Custom Application Services

Description of activities:

Structures & Storage System (Attach diagrams or site plans)

Number and capacity of bulk tanks: _____

Tank construction materials: _____

Secondary containment type: _____

Capacity of secondary containment: _____

Dry storage building description: _____

Loading/mixing/transfer equipment: _____

ENVIRONMENTAL PROTECTION MEASURES

The applicant must provide proof of the following in their application:

1. Secondary Containment

The facility will comply with Minnesota bulk storage containment standards, including:

- Impermeable, chemically resistant containment surfaces
- Capacity to hold at least 110 percent of the largest tank
- Weather-resistant construction materials
- No unsealed drains, openings, or sumps

2. Groundwater Protection and Spill Prevention

The facility will implement:

- Material Safety Data Sheets (MSDS) for all onsite materials
- A Groundwater Protection Plan possible wellhead water protection plan approved by Tribal Environmental Programs
- A Spill Prevention, Control, and Countermeasure (SPCC) plan, if required
- Groundwater monitoring if required by Tribal regulations
- No storage in wellhead protection zones
- Immediate spill response and immediate notification to the local fire department
- Immediate spill response and required notifications to MDA and EPA authorities, if applicable

3. Mixing, Loading, and Processing Areas

All mixing, blending, and transfer operations will occur on a containment pad that includes:

- Chemical-resistant surfacing
- Visible and Controlled drainage to capture rinsate and wash water
- Collection tanks for rinsate and wastewater

4. Waste Management

All waste, including rinsates, contaminated soils, containers, and spill materials, will be managed and disposed of according to applicable Tribal, state or federal laws and regulations.

EMERGENCY RESPONSE AND SAFETY

Emergency Response Plan

The applicant will attach their response plan and update that with the White Earth Department of Natural Resources each time it changes but at least annually.

The applicant will maintain a written Emergency Response Plan that includes, at a minimum, the following:

- **Procedures for spills, fires, and personnel exposure**, including immediate actions to protect workers, the environment, and property.
- **Notification procedures** for Tribal authorities, the Minnesota Department of Agriculture (MDA), EPA Region 5, and appropriate emergency response agencies.
- **A 24-hour emergency contact number** to ensure timely communication during incidents.
- **On-site spill response supplies** are appropriate for the materials stored and handled at the facility.
- **Annual employee training** covering emergency procedures, reporting requirements, and proper use of safety equipment.

Fire Prevention

The applicant will implement fire prevention measures appropriate for pesticide and fertilizer storage and handling, including:

- Adequate building ventilation to prevent the accumulation of flammable vapors.
- Use of non-sparking electrical components where required to reduce ignition risks.
- Maintenance of fire extinguishers and emergency shutoff features, ensuring all devices are inspected and fully functional.

The plan and associated safety measures will be reviewed regularly and updated as necessary to maintain compliance with Tribal, state, and federal requirements.

EMPLOYEE SAFETY

The applicant certifies it is operated in full compliance with applicable occupational health safety regulations. The applicant certifies it implements robust safety controls to protect all personnel from chemical, physical, and operational hazards. The applicant certifies employees receive mandatory training on safe handling procedures, hazards communication, emergency response, and the proper use of personal protective equipment.

The applicant certifies it is equipped with engineered safety measures, including controlled ventilation, designated chemical storage areas, spill-containment systems, and continuous monitoring where required. The applicant certifies it has routine inspections, documented maintenance schedules, and incident-reporting protocols ensures that potential risks are identified and corrected promptly. The applicant agrees to maintain clear operational procedures and fostering a strong safety culture, ensures a safe working environment that supports both regulatory compliance and responsible production.

NOTIFICATION REQUIREMENT

The applicant will provide written notification to the White Earth Nation permitting authority within 72 hours of receiving any federal or state agency notice, action, or finding related to non-compliance, inspections, or enforcement actions. The applicant has an ongoing duty to promptly disclose any licensing or certification actions against the applicant's license or certification by any jurisdiction.

The applicant will immediately notify the local Fire Department in case of an emergency or spill.

Applicant Acknowledgment and Conditions of Permit

By submitting this application, the applicant affirms that any property owner, developer, contractor, or authorized agent proposing to construct, relocate, or alter any building or structure within the boundaries of the White Earth Reservation must obtain a valid Building Permit prior to initiating such work, in accordance with **W.E.E.C. Section 604.00, Subdivision 1.**

Facility must have acquired producer establishment number from the US EPA prior to submitting their application per 40 CFR 167.20 Subpart B registration requirements (1) Any establishment where a pesticidal product is produced must be registered with the agency (2) Any establishment where a substance is produced must be registered with the agency if the producer intends the substance to be used as an active ingredient of a pesticide, or has actual or constructive knowledge the substance will be used by any person as an active ingredient of a pesticide.

Pursuant to W.E.E.C. Section 300.05, Subdivision 5 B, Restricted Use Pesticide Dealer Records. In a reasonably accessible format, record and maintain at each individual dealership, records of each transaction where a Restricted Use Pesticide is distributed or sold to any person. Records of each such transaction must include all of the following information: name and address or principal place of business of each certified applicator to whom the Restricted Use Pesticide was distributed or sold; the certification number on certification document presented to the seller evidencing the valid certification of the certified applicator authorized to purchase a Restricted Use Pesticide; the expiration date of the applicator's certification; the category (s) in which the applicator is certified relevant to the pesticide(s) sold; the product name and Environmental Protection Agency registration number of the Restricted Use Pesticide(s) distributed or sold in the transaction, including the applicable emergency or State special local need registration number; the quantity of the Restricted Use Pesticide(s) distributed or sold in the transaction; and the date of the transaction.

Pursuant to W.E.E.C. Section 300.05, Subdivision 5 C, Record Retention and Requests for Record Production. Keep all records listed in Section 300.05 Subd.5 (a) and (b) in a reasonably accessible format and available for inspection by the Pesticide Coordinator upon request for a period of at least five years.

The applicant further acknowledges and agrees that authorized representatives of the **White Earth Division of Natural Resources** or other designated Tribal authorities may enter the project site at reasonable hours to inspect the property for compliance with applicable permit conditions, approved plans, and applicable laws including the **White Earth Nation's laws and Resolutions.**

The applicant is responsible for complying with all applicable laws, regulations, safety standards, registration and licensing standards, labeling requirements, conditions of their permit, and any additional requirements imposed by the White Earth Reservation Zoning Office.

Applicant Signature

☐ Check here if you completed or have a permit through the State of Minnesota and attach that permit.

By submitting this application, the applicant submits and consents to the regulatory and adjudicatory jurisdiction of the White Earth Nation and its Courts. By signing below, the applicant consents to explicitly and irrevocably waive any defense, claim, declaratory action, or remedy related to contesting or denying regulatory or adjudicatory jurisdiction of the White Earth Nation and its Courts. The applicant further understands by submitting this application that their proposed activity and/or conduct has a direct impact on the health, welfare, political integrity, economic security, and cultural wellness of the White Earth Nation. The applicant expressly consents to personal jurisdiction of the White Earth Tribal Court for any enforcement actions or proceedings arising out of or related to the applicant's activity or conduct related to this permit application within the White Earth Reservation.

By signature below, the applicant attests that the information in this application is complete and accurate. The applicant understands that any false statements, omissions, or misrepresentations in this application may result in denial, suspension, or revocation of approval and may be subject to penalties. The applicant further attests that he or she possesses the authority and power to undertake the work described herein and to bind the applicant to the terms and conditions contained herein. The applicant agrees to immediately notify White Earth Reservation Zoning Office of any material changes to the information provided in this application.

Signature: _____ Date: _____

I hereby authorize _____ to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application. This representative has been given the authority and power to sign and bind the applicant to the terms and conditions detailed in this application.

******* This is NOT a Permit. *******

Return application & all supporting documents
(choose one)

In person to:

**White Earth Natural Resources Permit Office
102 3rd Street NE.
Mahnomen, MN 56557**

By mail to:

**White Earth Division of Natural Resources
PO BOX 393
Mahnomen, MN 56557**

Electronically to:

Permitoffice@whiteearth-nsn.gov

Required Signatures

(*For Office Use Only)

Environmental Manager: Ed Snetsinger
White Earth Reservation Business Committee
Division of Natural Resources
Email: ed.snetsinger@whiteearth-nsn.gov
Phone number: 218-935-3648

Signature: _____ Date: _____

Pesticide Coordinator: Amanda Holm
White Earth Reservation Business Committee
Division of Natural Resources
Email: amanda.holm@whiteearth-nsn.gov
Phone number: 218-935-3983

Signature: _____ Date: _____

Environmental & Permitting Manager: Chris Londo
White Earth Reservation Business Committee
Division of Natural Resources
Email: Chris.Londo@whiteearth-nsn.gov
Phone number: 218-935-3823

Signature: _____ Date: _____

Application Status & Date (Office Use Only)

Receipt #: