



Permitting Efficiency and Goal Report

Bulk Agricultural Chemical Storage, Anhydrous Ammonia Storage,
and Chemigation Permits

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Introduction

The Minnesota Legislature recognized the need to protect the environment from agricultural chemical contamination starting in the late 1970s. Since then, the Minnesota Department of Agriculture adopted rules governing the storage of dry and liquid bulk fertilizers. In 1989, major updates were made to the Minnesota Pesticide Control Law (Minn. Stat. 18B) and the Fertilizer, Soil Amendment, and Plant Amendment (Minn. Stat. 18C) law with passage of the Minnesota Groundwater Act. Rules recognizing these changes were adopted by the MDA in the early 1990s.

Statute requires a responsible person to obtain a permit from the MDA before storing agricultural chemicals or conducting chemigation applications. Rules adopted under statute provide technical, performance-based requirements for compliance.

The MDA is the lead agency charged with protecting people and the environment by ensuring agricultural chemicals are managed and stored responsibly. The required safeguards for each permitting program are an important part of the MDA's mission to protect the environment and human health.

The MDA strives to issue permits in the least amount of time necessary while ensuring that environmental protections comply with all rules and statutory requirements.

Background

Bulk Agricultural Chemicals

The MDA operates the Bulk Agricultural Chemical Permitting Program with 1.75 full-time equivalent (FTE) Employee. The MDA has standardized the permit application process to eliminate unnecessary and duplicative forms. Once a permit application is received with the required one-time fee (\$100 for a new site and \$50 for a substantial alteration of an existing site), the permit application is reviewed for completeness and the responsible person is notified of any needed changes. In some instances, required information such as construction drawings are either absent or lack sufficient detail to make an approval determination.

A complete application with all necessary information is required to ensure the safeguard will protect the environment if a release of agricultural chemicals occurs. There is no engineering requirement; however, in certain instances the MDA requires that a licensed engineer be consulted to address complex structural and foundation issues.

A new permit application and fee must be submitted when a storage facility is slated for construction or when there is a change in ownership. A substantial alteration permit application must be submitted before a larger tank is installed, a new containment area is added to an existing permit, or the size of an existing containment area or load pad will change. A permit is issued when all applicable information is submitted and reviewed for completeness.

All application forms are available online, but at this time applicants must submit a hard copy with payment to the MDA.

Anhydrous Ammonia

The MDA's Anhydrous Ammonia Program is staffed with 2.5 FTEs. An applicant must submit a hard copy of a permit application with a one-time application fee of \$100 for a new facility or a change in ownership, or a \$50 application fee for a substantial alteration of an existing facility.

A new permit is required when a facility is built or if there is an ownership change. A substantial alteration permit is required when a bulk anhydrous ammonia storage tank and loading/unloading stations are installed, moved, or the capacity of safeguards changes.

Chemigation

The MDA operates its Chemigation Permitting Program by permit-by-rule with a 0.25 FTE administrative assistant and a 0.5 FTE technical staff. Permit-by-rule means that an operator completes a permit application and certifies that all anti-pollution device and applicable rule and statute requirements are met.

Once a completed permit application is received with the required one-time fee of \$250 (fertilizer only, fertilizer and pesticide) or \$50 (fertilizer only), a permit is granted. The MDA notifies the applicant by phone or letter when a permit application is incomplete. Common omissions include the agricultural chemical information, such as the fertilizer guaranteed analysis, the location of the pivot, a Minnesota Department of Natural Resources water appropriation permit number, and the required fees.

A new operator at an existing permitted location must obtain a new permit. The result is multiple permits for multiple operators at one physical location. The person operating the system is responsible for obtaining the permit and complying with all regulatory requirements. The permit application, fee, and certification can be submitted online at the [MDA website \(www.mda.state.mn.us\)](http://www.mda.state.mn.us) or by hard copy.

2025 Activity

Three types of permits fall under the reporting requirements of Minnesota Statutes, Chapter 17.03, Subd. 11a, b., titled "Permitting efficiency goal and report" and requires, in part, that "environmental and resource management permits be issued or denied within 150 days of the submission of a completed permit application." These permits are for 1) bulk agricultural chemical (fertilizer and pesticide) storage, 2) bulk anhydrous ammonia storage, and 3) chemigation. Anhydrous ammonia is a nitrogen fertilizer and is a liquid under pressure. Due to its hazardous properties and storage rule requirements, the Anhydrous Ammonia Permitting Program is separate from the bulk agricultural chemical storage permitting process.

In 2025, there were a total of 701 bulk agricultural chemical storage permits, 189 bulk anhydrous ammonia storage permits, and 3,652 chemigation permits. This is the total amount of permitted facilities or chemigation systems active in the MDA's permitting program. The number of permits issued in the 2025 calendar year is listed below in items 1, 2, and 3.

The time to obtain a permit for bulk agricultural chemical storage or for anhydrous ammonia storage from the MDA this past year (Jan. 1-Dec. 30, 2025) ranged from one to 29 days. Permits are issued after all applicable requirements stated in statutes and rules were met.

The MDA issues a permit card to chemigation operators after a completed application and fee are submitted. The response time for 104 of the 106 permits cards was 77 days or less. The response time for the remaining permit cards was 203 days (cashier error in which payment was placed in wrong account) and 238 days (staff oversight in following up on missing information in permit application).

1) Bulk Agricultural Chemicals

Permits are required for the storage of bulk agricultural chemicals per Minnesota Statutes, Chapters 18B.14 (pesticide), and 18C.305 (fertilizer). The MDA is required per 18B.14, Subd. 2, to issue bulk pesticide storage permits within 30 days after a completed application is received. A permit is not required for growers who store 6,000 gallons or less of liquid fertilizer on their property and for their own use under 18C.305, Subd. 3.

From Jan. 1-Dec. 31, 2025, the MDA issued 10 permits for new facilities, 14 permits for substantial alteration, and 21 permits for a change of ownership.

2) Anhydrous Ammonia

Permits are required for the storage of anhydrous ammonia under Minnesota Statutes, Chapter 18C.305. From Jan. 1- to De. 31, 2025, the MDA received and issued three permits for new facilities, 12 permits for change of ownership, and two permits for substantial alterations.

3) Chemigation

Permits are required for the application of agricultural chemicals through irrigation systems under Minnesota Statute Chapter 18B.08 (pesticide) and Minnesota Statute Chapter 18C.205 (fertilizer).

The MDA's chemigation permitting program operates under permit-by-rule, which allows a person to apply fertilizers and pesticides through irrigation systems if they submit a complete and accurate permit application, pay the required fee, and certify by signature that they have complied with all rule requirements.

From Jan. 1 to Dec. 31, 2025, the MDA received and issued 106 permits: 89 for fertilizer-only and 17 for pesticides and fertilizers. Of these permits, 98 were issued for center-pivots and eight for greenhouse operations.

Several factors enable the MDA to provide prompt turnaround time on the three types of permits listed above. Experienced MDA staff offer substantial compliance assistance to applicants. The exchange of information with applicants and contractors before submission of their permit application makes the process more efficient. When completed permit applications are submitted with all required information, the MDA can complete the final review. The permit is issued in an informed and timely manner.