

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Alabama</b> (EPA Region 4)	Four categories: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy  Forest canopy use category also includes "Other Area-Wide Pest Control."	Yes, automatic coverage will be available for operators below thresholds for treatment areas.	6,400 A/yr land (mosquitoes & forests); 100 A/yr water (weeds, animals); 100 linear miles/yr at water's edge (weeds, animals).  Multiple applications to a given area are each to be counted as part of the total cumulative area per year	Submit an NOI; conduct IPM; develop PDMP; keep more extensive records; prepare (keep on site) an annual report	No delay for automatic coverage; Others covered in 10 days of state receipt of NOI; Operators who will discharge into a Tier 3 water must submit NOI at least 30 days in advance and wait for letter of coverage.	<b>Waters of the State</b> (includes conveyances with a hydrologic surface connections to waters of the state at the time of pesticide application)	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat	No delay for a declared pest emergency situation; must submit NOI no later than 30 days after discharge.  Allows a grace period until January 31, 2012 to file NOIs	Link to <a href="#">Alabama</a> final permit  Glenda Dean AL DEM 334-271-7822
<b>Alaska</b> (EPA Region 10)	Four categories: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  <b>EPA's federal PGP will apply in AK, as well as ID, MA, NH, NM, OK</b>	Yes, automatic coverage is available for pesticide applicators, R&D scientists, and those entities making application decisions for pest-control treatments of less than the annual treatment areas.  EPA's PGP will become effective October 31, 2011 but first NOI submissions are not due by January 9, 2012 – thus all Operators will be automatically covered until that date.	Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.  Treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities (not described above) making pesticide application decisions: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds, animals); 20 linear miles/yr at water's edge (weeds, animals).	Large Decision-makers: submit an NOI; conduct IPM; develop PDMP; monitoring & surveillance; extensive recordkeeping; submit an annual report  Small Decision-makers (public entity servicing <10,000 citizens, or private entity with <50 employees earning <\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report) For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses, but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.	No delay for automatic coverage, or for others making applications in response to a declared pest emergency.  No delay for Decision-makers whose discharges begin before January 9, 2012  If a Decision-maker submits an NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and accurate NOI	<b>Waters of the US</b>  EPA states that delineated Waters of the US may or may not be wet at the time of discharge; however discharges to such are still considered discharges to "Waters of the US" and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US).  On May 27, EPA and the Corps of Engineers finalized guidance on what is considered "waters of the US." The guidance identifies waters subject to the CWA; additional waters that may be if determined to be so by an analysis of "significant nexus" to a traditional navigable water; and aquatic areas	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat  Must comply with any ESA-related requirements added as a result of EPA – Services consultation	The revised PGP has dropped from the definition of "Operator" the mention of financial institutions that was in the June 2010 draft PGP, and defines operators as either (1) the entity who performs the application or who has day-to-day control of the application ("Applicators") or (2) any entity with control over the decision to perform pesticide applications including the ability to modify those decisions ("Decision-makers"), or those that are both Applicators and Decision-makers (e.g., municipal or private entities) (§ 1.0). The revised PGP distinguishes between these classes of Operators for compliance requirements. Will allow a grace period until January 12, 2012 to file NOIs	Link to <a href="#">EPA</a> final permit  Dirk Helder, EPA Region 10 208-378-5749

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						generally not covered.				
<b>Arizona</b> (EPA Region 9)	Five categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy (5) other "specific approval" uses	Yes, automatic coverage available, except the following need to submit an NOI:(a) discharges to waters designated as aquatic & wildlife (warm & cold waters); (b) discharges to effluent-dependent waters that flow more than 5 miles from the nearest point source; (c) discharges from impaired waters; (d) discharges to Outstanding Arizona Waters	640 A land (mosquitoes & forests); 20 A water or 20 miles water's edge (weeds, animals); > 0 A for discharges to Outstanding Arizona Waters or impaired waters	Submit NOI; comply with IPM requirements; develop and implement PDMP; more extensive record keeping; submit annual reports; activities required of all permittees	No delay for automatic coverage; Operators required to submit an NOI may discharge 7 calendar days after a signed NOI is received by ADEQ or when an authorization certificate is issued, whichever is earlier.	<b>Waters of the US</b> only, as well as conveyances with hydrologic surface connection at the time of pesticide application	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report any noncompliance, spill greater than RQ or upset; keep limited records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat	This permit does not require ambient water quality sample collection and monitoring, but methods are described for those operators that collect samples.  Proposed discharges to ONRWs must wait for ADEQ approval of signed NOI and complete PDMP. Minimum 32 business day timeframe.	Link to <a href="#">Arizona</a> final permit  Chris Henninger AZ DEQ 602-771-4508
<b>Arkansas</b> (EPA Region 6)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pests	Yes, automatic coverage available, except for operators that meet or exceed the annual thresholds.	6400 A land (mosquitoes & forests); 100 A water or 200 miles water's edge (weeds, animals) made annually to Waters of the State as well as conveyances with hydrologic surface connection at the time of pesticide application	Submit NOI, comply with permit requirements, keep records	No delay for automatic coverage; Operators required to submit an NOI may discharge 10 days after ADEQ posts on the Internet receipt of the NOI. If originally covered automatically but then exceed the thresholds, then 10 days after ADEQ posts receipt of NOI. If emergency discharges, then immediate coverage, but NOI is to be submitted within 30 days of	<b>Waters of the State</b> , as well as conveyances with hydrologic surface connection at the time of pesticide application	Minimize discharges; use lowest effective product amount, frequency and rotate pesticides used to accomplish effective control while considering pest resistance risks; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report any noncompliance, spill greater than RQ or upset; keep limited records; comply with all applicable statutes and regulations.		Discharge must be controlled as necessary to meet applicable state water quality standards. No pesticide may be applied unless it is registered by the AR State Plant Board (ASPB), and the applicator is certified, or under the supervision of someone certified, by ASPB.  No grace period is planned for submission of NOIs.	Final PGP not implemented  Link to <a href="#">Arkansas</a> draft permit  John Bailey AR DEQ 501-682-0629

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					start of discharge.					
<b>California</b> (EPA Region 9)	<p>Four uses are covered in separate permits:</p> <ol style="list-style-type: none"> <li>(1) Residual pesticide discharges;</li> <li>(2) Aquatic weed control;</li> <li>(3) Animal invasive species control;</li> <li>(4) Vector control.</li> </ol> <p>The <u>residual pesticide discharge general permit</u> covers the use by municipalities, state, federal or other public agency of identified chemical and biological larvicides and adulticides, and herbicides for control of invasive species of insects and weeds, including area-wide insect control or brush control in forestry.</p> <p>Some permit uses contain ambient monitoring requirements, and exclude specific products from use.</p>	No automatic coverage; all applicators must submit an NOI. Aquatic pesticides that are applied to application areas within waters of the US in accordance with FIFRA label requirements and Use Permit restrictions are not considered pollutants, and only over-applied or misdirected pesticide products and residues that remain after the use of the pesticide to kill or control the target pest are considered pollutants that require coverage under the NPDES general permit.	<p>No treatment area thresholds.</p> <p>For each approved pesticide there is a listed receiving water limit concentration that may not be exceeded without triggering monitoring and additional state investigations</p>	<p>Submit an NOI; submit a <i>Pesticide Action Plan</i> (PAP) or an <i>Aquatic Pesticide Action Plan</i> (APAP, similar to PDMP, which includes IPM); submit a vicinity map; pay a fee; follow FIFRA label and any other Use Permits issued by a County Agricultural Commissioner (CAC); be licensed by DPR or work under supervision of a licensed applicator; comply with Monitoring &amp; Reporting Program (MRP).</p> <p>Each enrollment covered by an NOI will cover all discharges occurring within the boundaries of that Regional Water Board.</p> <p>Separate NOIs are required for discharges in more than one Region.</p>	When a PAP (NOI) is submitted, staff will post it on the State Water Board website for a 30-day comment period. During March and April 2011, upon receipt of a PAP, the Div. of Water Quality Deputy Director will issue a provisional Notice of Applicability (NOA) within 3 working days.	<p><b>Waters of the US</b>, surface, including drinking water reservoirs, ornamental lakes, and ponds, and impoundments used to store irrigation water</p> <p>Receipt from state of COC or NOE (Notice of Exclusion -- a 1-page notice that indicates that the proposed discharger is not eligible for coverage under the PGP and states the reason why, including, for example, the need to comply with a TMDL or to protect sensitive water bodies)</p>	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records comply with all applicable statutes and regulations; comply with applicable receiving water limitations (the permits list these for each pesticide); comply with monitoring and reporting requirements. Post-event monitoring of pesticide residue to demonstrate no exceedence of WQS occurs is required no more than one week after aquatic weed control treatment.	Assumes compliance with ESA. If US EPA develops BiOps regarding pesticides included in CA's general permits, the state reserves the right to reopen the permit to add or modify Receiving Water Monitoring Triggers for residual pesticides of concern.	<p>The aquatic weed control permit covers only application of 2,4-D, acrolein, copper, diquat, endothall, fluridone, glyphosate, iazapyr, sodium carbonate peroxyhydrate, and triclopyr based products. CDFA may add to the list. The aquatic animal control permit covers applications of compounds containing sodium hypochlorite. The vector control permit covers applications of larvicides containing monomolecular films, methoprene, <i>Bacillus thuringiensis</i> subspecies <i>israelensis</i> (or Bti), <i>Bacillus sphaericus</i>(or <i>B. Sphaericus</i>), temephos, petroeum distillates, or spinosad; and adulticides containing malathion, naled, pyrethrin, permethrin, resmethrin, sumithrin, prallethrin, piperonyl butoxide (BPO), etofenprox, or N-octyl bicycloheptenedicarboximide (or MGK-264) -- all of which are currently registered in California.</p>	<p>Link to <a href="#">California</a> final permits</p> <p>Phil Isorena                      CA SWRCB                      916-341-5544</p>

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<b>Colorado</b> (EPA Region 8)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pests	Yes, all operators are automatically authorized to discharge in compliance with the permit without submission of an NOI, but a Certificate of Compliance (COC) must be submitted by operators in control over financing, or decisions, to discharge pesticides in excess of annual thresholds	Thresholds trigger COC submission requirement  640 A/yr land (mosquitoes, forest canopy); 20 A/yr water (aquatic weeds, algae, animals); 20 linear miles at water's edge (weeds, algae, animals)	Any entity required to submit a COC must: implement IPM (this includes any pesticide applicator hired by decision maker or control of financing); develop a PDMP; keep extensive records; submit annual reports	Immediate coverage; COC must be submitted at least 10 days before exceeding threshold, or before discharge by operators who know or should have reasonably known, prior to discharge, that they will exceed an annual treatment area threshold	<b>Waters of the State</b> , including conveyances with a hydrologic surface connection at the time of pesticide application	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; perform & document corrective actions; conduct spot checks for adverse incidents; meet WQS; report noncompliance, upset, or spill greater than RQ; keep certain records comply with all applicable statutes and regulations; comply with reporting requirements, including reporting of adverse incidents < 24 hr and 5 days.	Assumes compliance with ESA. If US EPA adds requirements as a result of consultation with Services, the state reserves the right to reopen the permit to add or modify provisions	Operators discharging pesticides in response to a declared pest management emergency must submit a COC no later than 30 days after start of discharge, and must develop a PDMP no later than 90 days after responding to declared pest emergency	Link to <a href="#">Colorado</a> final permit  Janet Kieler, CDPHE 303-692-3599
<b>Connecticut</b> (EPA Region 1)									Link to <a href="#">Connecticut</a> permit application	Previous permit satisfies state requirement, but PGP under development  Brad Robinson CT DEP 860-424-3324
<b>Delaware</b> (EPA Region 3)	Four categories of pest control: (1) Mosquito & other flying insects; (2) Weed, algae & pathogen pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pests	Yes, any operator that meets the eligibility requirements is automatically authorized to discharge upon the effective date of the permit. No operator is required to submit a registration statement or NOI to obtain coverage.  Thresholds determine whether a PDMP and IPM are required, not whether an NOI must be filed.	6400 A land cumulative (mosquitoes & forests); 80 A water or 20 miles water's edge non-cumulative (weeds, animals) made annually to Waters of the State as well as conveyances with hydrologic surface connection at the time of pesticide application	Develop and implement a PDMP; and (if a large entity) conduct and document IPM and submit an annual report.  Small entities that exceed annual treatment area thresholds have reduced recordkeeping requirements. For-hire applicators must maintain spray logs.	PDMP deadline is prior to first pesticide application if it is known the annual thresholds will be exceeded, or prior to exceeding an annual limit, or no later than 90 days after responding to a declared pest emergency situation	<b>Waters of State</b> , surface and groundwater, including tidal areas of the Atlantic Ocean, estuaries, bays, as well as lakes, rivers (including intermittent and ephemeral), drainage ditches and/or canals, as well as waster and strom water treatment systems or waste storage structures, other than cooling ponds.	Use lowest effective product amount and frequency of application; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; perform & document corrective actions; conduct spot checks for adverse incidents; meet WQS; report noncompliance, upset, or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations; comply with reporting requirements, including reporting of adverse incidents < 24 hr and 30 days.	If an operator becomes aware of an adverse incident affecting a threatened or endangered species or its critical habitat which may have resulted from the pesticide application, the operator must immediately notify DOE and DFW within 24 hours.		Not final yet  Link to <a href="#">Delaware</a> draft permit  Robert Underwood DE DOE 302-739-9344

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<b>Florida</b> (EPA Region 4)	Five categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy; (5) Area-wide pest control  Qualified agricultural discharges are covered in the second ("aquatic weed control") for weed control around irrigation ditches at water's edge, and in the fourth category ("forest canopy or other area wide pest control") where citrus and other fruit orchards are treated to control pests and the pesticide is "unavoidably" deposited into ag drainage canals, irrigation ditches or other water of the state. The draft permit would provide legal protections under this fourth category for such unavoidable depositions.	Yes, automatic coverage for all except state or federal agency or commission with pest control responsibility, county mosquito control district. All operators required to submit an NOI must do so no later than 60 days after 4/9/2011	None	No actions tied to annual thresholds; All government agencies with pest control responsibilities and mosquito control districts must comply with IPM, develop PDMP, keep extensive records; monitor; submit annual reports; activities required of all permittees	No delay for automatic coverage or in response to a declared emergency; All others must wait for receipt of state approval letter	<b>Waters of State</b> (surface water only)	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report any noncompliance or upset; keep limited records; comply with all applicable statutes and regulations		Operators applying pesticides in compliance with contracts or permits of FL Dept of Ag & Consumer Services or the FL Fish & Wildlife Conservation Commission are in compliance with Florida's NPDES permit. Operators applying pesticides in compliance with a permit, contract or program approval from the FL Dept of Ag & Consumer Services or the FL Fish & Wildlife Conservation Commission are in compliance with all conditions related to IPM practices of this NPDES permit.	Link to <a href="#">Florida</a> final permit  A 180-day grace period will be allowed for filing an NOI for the first time  Davis Daiker FL DEP 850-617-7919
<b>Georgia</b> (EPA Region 4)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy	Yes, automatic coverage will be available for operators below annual treatment area thresholds -- once GA EPD proposed rules are promulgated. Until such time that the rule is approved, operators who would be exempt from submitting an NOI will be required to submit an NOI.	6400 A land (mosquitoes & forests); 100 A water or 100 miles water's edge (weeds, animals)	Submit NOI; comply with IPM requirements; develop and implement PDMP; submit biennial reports to EPD; + activities required of all permittees (see column 7)	No delay for automatic coverage; Others covered in 10 days of EPD's receipt of NOI if operator has not received written response from EPD denying coverage under the permit	<b>Waters of the State</b> (no mention of conveyances)	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or upset; keep limited records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat	Any permit noncompliance is a violation of CWA & state rules; Those who do not exceed annual NOI thresholds must comply with all the terms and conditions of the permit with the exception of IPM, PDMP and submission of biennial reports to EPD.	Link to <a href="#">Georgia</a> final permit  Gigi Steele GA DNR 404-362-4562 or 404-362-4916
<b>Hawaii</b> (EPA Region 10)										Individual permits if necessary  Alec Wong HI DEH 808-586-4309

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<b>Idaho</b> (EPA Region 10)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  <b>EPA's federal PGP will apply in AK, ID, as well as MA, NH, NM, OK</b>	Yes, automatic coverage is available for pesticide applicators, R&D scientists, and those entities making application decisions for pest-control treatments of less than the annual treatment areas.  EPA's PGP will become effective October 31, 2011 but first NOI submissions are not due by January 9, 2012 – thus all Operators will be automatically covered until that date.	Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.  Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities (not described above) making pesticide application decisions for: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds, animals); 20 linear miles/yr at water's edge (weeds, animals).	Large Decision-makers: submit an NOI; conduct IPM; develop PDMP; monitoring & surveillance; extensive recordkeeping; submit an annual report  Small Decision-makers (public entity servicing <10,000 citizens, or private entity with <50 employees earning <\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report)  For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses, but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.	No delay for automatic coverage, or for others making applications in response to a declared pest emergency.  No delay for Decision-makers whose discharges begin before January 9, 2012  If a Decision-maker submits an NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and accurate NOI	<b>Waters of the US</b>  EPA states that delineated Waters of the US may or may not be wet at the time of discharge; however discharges to such are still considered discharges to "Waters of the US" and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US, p. A-8).  On May 27, EPA and the Corps of Engineers finalized guidance on what is considered "waters of the US." The guidance identifies waters subject to the CWA; additional waters that may be if determined to be so by an analysis of "significant nexus" to a traditional navigable water; and aquatic areas generally not covered.	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat  Must comply with any ESA-related requirements	The revised PGP has dropped from the definition of "Operator" the mention of financial institutions that was in the June 2010 draft PGP, and defines operators as either (1) the entity who performs the application or who has day-to-day control of the application ("Applicators") or (2) any entity with control over the decision to perform pesticide applications including the ability to modify those decisions ("Decision-makers"), or those that are both Applicators and Decision-makers (e.g., municipal or private entities) (§ 1.0). The revised PGP distinguishes between these classes of Operators for compliance requirements.  A grace period is planned until January 12, 2012 for filing NOIs.	Link to <a href="#">EPA</a> final permit  Dirk Helder, EPA Region 10 208-378-5749

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<b>Illinois</b> (EPA Region 5)	Five categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy (5) "Other Uses"	No, all operators must send in NOIs to obtain permit coverage	640 A land (mosquitoes & forests); 20 A water or 20 miles water's edge (weeds, animals)  Annual thresholds determine IPM, PDMP, annual reporting and other requirements	Develop PDMP; conduct IPM; keep extensive records; submit annual report; activities required of all permittees	All must wait for state NOI letter of approval, except in response to a declared emergency	<b>Waters of State</b> , surface water, and conveyances with a hydrologic connection at the time of application  (note: state limits this state water definition coverage to surface "waters of the US")	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate; conduct spot checks; perform corrective actions; report adverse incidents and spills > RQ; report any noncompliance or upset; keep limited records; comply with all applicable statutes and regulations.	Coverage contingent on no adverse effect; Must report any adverse incident	IPM requirements can apply to for-hire applicators.	Link to <a href="#">Illinois</a> final permit  Leslie Lowry, IL EPA 217-782-4209
<b>Indiana</b> (EPA Region 5)	Seven categories of pest control: (1) Mosquito & flying insects; (2) Weeds and algae; (3) Nuisance aquatic animal control; (4) Forest canopy pest control (aerial or ground applications to canopy); (5) Ditch bank or conveyance weeds; (6) Control of aquatic vegetation under a DNR permit; (7) Application of pesticides to outstanding state resource waters to restore or maintain water quality or to protect public health or the environment where those discharges either do not degrade water quality or only degrade water quality on a short term or temporary basis.  Coverage is not available for discharges within a pesticide setback established by the state or described on the product label.	Yes, automatic coverage if below annual treatment area thresholds  Must submit an NOI if: (a) federal or state government agencies with pesticide applications exceeding thresholds; (b) an entity that employs applicators who treat more than annual threshold and are not covered by another entity's general permit coverage and is not a small business; and (c) an entity that applies pesticides to outstanding state resource waters	6400 A/yr land cumulative (mosquito adulticides, forest canopies) 80 A/yr water (weeds, algae or animals) 20 linear miles/yr water of ditch or other linear feature or at water's edge  For treatment of Tier 3 waters to restore or maintain quality or to protect public health or the environment there is no annual treatment threshold.	Any entity that must submit an NOI must develop a PDMP. This includes all who apply pesticides to outstanding state resource waters	10 days after submitting an NOI, except in response to a declared emergency	<b>Waters of the state</b> , including conveyances	All applicators must comply with a series of state pesticide registration, use, storage and secondary containment policies and FIFRA label requirements; Control discharge as necessary to meet applicable numeric and narrative state; Minimize discharges; use lowest effective product amount; perform maintenance and calibrate; conduct spot checks; perform corrective actions; report adverse incidents and spills > RQ; report any noncompliance or upset; keep limited records; comply with all applicable statutes and regulations.	Requires compliance with the ESA and Indiana law concerning such species	No NOI submission is required of (a) a person who is certified or licensed to apply pesticides by the state for forest, turf, aquatic pest, industrial weed or mosquito control or aerial application; a person who applies pesticides under a permit issued by the state; or a scientist engaged in R&D  IDEM identifies 21 pesticides that are currently registered with OISC for aquatic use in Indiana.	Link to <a href="#">Indiana</a> final permit  Catherine Hess, IDEM 317-232-8704

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State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Iowa</b> (EPA Region 7)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy	Yes, automatic coverage if below annual treatment area thresholds	1000 A mosquitoes; 60 A water or 60 miles water's edge (weeds); 20 A water or 20 miles water's edge (animals); 640 A land (forest canopy)	Submit NOI & annual report; develop PDMP; conduct IPM; keep extensive records; activities required of all permittees	No delay for automatic coverage or in response to declared emergency;  Others above threshold must wait 10 days after IDNR receipt of NOI	<b>Waters of US</b> only, as well as conveyances with surface hydrologic connection at time of discharge	Minimize discharges; Follow FIFRA product label and apply at no more than recommended rates; perform maintenance and calibrate; perform SOP corrective actions; conduct spot checks; report hazardous conditions, incidents and spills; keep spray logs and copy of hazardous condition reports; comply with all applicable statutes and regulations.	No coverage for discharge to critical habit of Topeka Shiner	Limitations on discharge within 50 feet of well; Extensive definitions of "applicator," "biological pesticides," and "Pesticide" Defines "waters of the US" from 40 CFR 122.2.	Link to <a href="#">Iowa</a> final permit  Adam Schnieiders IA DNR 515-281-7409
<b>Kansas</b> (EPA Region 7)	Four categories of pest control: (1) Mosquito/flying or aquatic insect pests; (2) Aquatic weeds/algae, pathogen or fish parasite control in water and at the water's edge, including lakes, rivers, irrigation canals and drainage systems; (3) Nuisance animal control in water and at water's edge; (4) Forest canopy pest control aerial or ground application.  If proposing pesticide use patterns other than those in column 1, or for use within ¼ mile of a public water supply intake, submit an NOI and written request to KDHE and wait for KDHE authorization.	<b>During the period of April 9, 2011 through April 8, 2012 all operators are automatically covered</b> and do not have to submit any paperwork, with the exception of any operator desiring to discharge pesticides to ONRW or proposing a discharge for a pesticide use pattern other than those listed in column 2. Though automatically covered, they are still required to meet certain permit requirements.	6,400 A/yr (mosquitoes, forest canopy)  80 A/yr (weeds, algae, pathogens, fish parasites, nuisance animals)  20 linear miles/yr at water's edge (weeds, algae, pathogens, fish parasites, nuisance animals)	Large operators (exceeding thresholds), or ONRW dischargers must submit an NOI. Others on and after April 9, 2012 will continue to receive automatic coverage under this permit.  NOI, IPM, keep more extensive records than operators automatically covered  No PDMP or annual report is required.	During the period of April 9, 2011 through April 8, 2012 all operators are automatically covered and there is no delay, except to ONRW.  After 2012, other than automatic coverage must submit an NOI at least 14 days before intended application and wait for authorization from KDHE	<b>Waters of the US</b> , including conveyances with a hydrologic surface connection to waters at the time of pesticide application	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations	Assumes compliance with all other federal and state laws and regulations.  Contains the effluent limitation <b>"In no case exceed the maximum application rate, established under FIFRA, referenced on the pesticide product label."</b>	Contract pesticide applicators hired by a decision maker are not considered to be an "operator" unless the contract between the decision maker and contract applicator stipulates the contract applicator as being wholly responsible for and designated as the operator for the proposed application.  Discharges to ONRWs will only be considered to restore or maintain water quality, to protect public health, halt the spread or prevent the introduction of invasive species, or only degrade water quality on a short-term basis – and require specific written approval from KDHE for treatment.	Link to <a href="#">Kansas</a> final permit  Don Carlson KS DH&E 785-296-5547



## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Kentucky</b> (EPA Region 4)	<p>Applies only to application of liquid pesticides directly into surface water or near surface water where pesticide contact with the surface water is either intentional or unavoidable. The permit only covers liquid pesticide applications that exceed annual threshold limitations.</p> <p>Covers <u>indirect</u> discharges of pesticides to control pests in all waters of the state, and <u>direct</u> discharges to (a) warm water aquatic habitat, primary &amp; secondary contact recreation, and domestic water supply; (b) impaired waters not impaired for the specific pesticide being applied; (c) High Quality waters (permit conditions apply). No coverage for <u>direct</u> discharges to cold water aquatic habitat, ONRW or Exceptional Waters, or impaired due to specific pesticide.</p>	<p>No automatic coverage is available</p> <p>No coverage is available to any discharger that does not exceed the annual cumulative thresholds, or that does not apply liquid pesticides.</p>	<p>Annual cumulative thresholds that determine permit eligibility:</p> <p>640 A/yr terrestrial application near a surface water;</p> <p>20 miles/yr terrestrial application at water's edge;</p> <p>20 acres/yr application to surface waters.</p>	<p>All permittees are required to meet the same requirements</p>	<p>Submission of an NOI at least 10 days before first pesticide application after April 9, 2011 or at least 10 days before exceeding the annual threshold.</p>	<p><b>Waters of the State</b></p>	<p><b>Submit NOI;</b> Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; <b>conduct IPM measures;</b> <b>develop PDMP;</b> assess climatic conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations; <b>submit annual report</b></p>	<p>Must report any adverse incident to threatened or endangered species or critical habitat</p>		<p>Not final as of January 2012</p> <p>Link to <a href="#">Kentucky</a> draft permit</p> <p>Ronnie Thompson KY DEP 502-564-3410</p>
<b>Louisiana</b> (EPA Region 6)	<p>Four categories of pest control:                      (1) Mosquito &amp; flying insects;                      (2) Algae and vegetative pests;                      (3) Nuisance animals in water or at water's edge;                      (4) Forest canopy                      (5) Stormwater runoff from facilities that handle or use pesticides (provided they are handled and stored in accordance with the FIFRA label and there has been no spillage or leakage that has not been cleaned up.</p> <p>Permit does not apply to the application of pesticides to areas that are exempt from LPDES permitting - normal operations of vessels; discharges from agricultural or silvicultural activities; return flows from irrigated agriculture.</p>	<p>Yes, all dischargers that fall into one or more of the five use categories are authorized to apply pesticides under this permit. They are not required to submit an NOI and are automatically covered. No IPM, PDMP, or annual reports are required of anyone.</p>	<p>None</p>	<p>All permittees are required to meet the same requirements.</p> <p>Any person who applies a RU pesticide must be certified or be under the direct supervision of a person who is certified by LDAF; every owner-operator of a pesticide application business must have a current license issued by LDAF;</p>	<p>None</p>	<p><b>Waters of the State,</b> both surface and underground waters including the Gulf of Mexico</p>	<p>Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; keep certain records; comply with all applicable statutes and regulations; Routine reporting is <b>not required</b> by this permit.</p> <p><b>FIFRA compliance is incorporated in as a technology-based effluent limitation</b></p>	<p>Permit does not authorize discharges likely to have unauthorized adverse effects on threatened or endangered species or on the critical habitat for these species</p>	<p>All mechanically powered pesticide application equipment must be inspected by LDAF and have a current LDAF decal; Commercial applicators are subject to semi-annual site inspections by the state to verify compliance, inspect records, take samples to analyze for leaks and spills; Recordkeeping for 2 years is required of both fee commercial and non-fee commercial applicators.</p>	<p>Link to <a href="#">Louisiana</a> final permit</p> <p>Bruce Fielding LA DEQ 225-219-3231</p>

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Maine</b> (EPA Region 1)	<p>Three separate permits cover three categories of pest control:</p> <ol style="list-style-type: none"> <li>(1) Mosquitoes</li> <li>(2) Invasive aquatic plants</li> <li>(3) Invasive fish</li> </ol> <p><b>Aerial spraying of aquatic pesticides IS NOT authorized by any of the Maine general permits.</b></p>	<p>No, an NOI must be submitted and approved by DEP before coverage is granted.</p> <p>A separate NOI is required for each civil jurisdiction (e.g., city, town, township) unless otherwise determined by DEP.</p>	N/A	N/A	<p>Must wait for NOI approval by DEP. The DEP will notify an applicant within 14 days of receipt of each NOI.</p>	<p><b>Waters of the State</b></p> <p>The mosquito permit covers fresh or salt waters classified as Class AA, A, B, C, SA, SB or SC that constitute breeding habitat. Waters classified as GPA or GW-A waters, and waters that have flowing current or otherwise do not show mosquito breeding habitat are not covered.</p> <p>The piscicide permit covers fresh waters classified as Class GPA, AA, A, B, C tributaries to GPA waters, and drainage areas less than 10 square miles. No water body that serves as a public water supply is eligible.</p> <p>The aquatic weed control permit covers Class GPA, AA, A,B,C tributaries to GPA waters and waters with drainage areas of less than 10 square miles.</p>	<p>Numerous special requirements are attached to each of the general permits.</p> <p>Significantly, each NOI must include a statement justifying a <u>significant need to control the target pest species</u>.</p> <p>Pesticide applications must be made in accordance to a specific pest management plan.</p>	<p>For any treatment activity occurring within a habitat of threatened or endangered species, or that may violate protection guidelines, submit written approval of the activity from the Maine Department of Inland Fisheries and Wildlife, and follow any conditions stated in the IF&amp;W approval.</p>	<p>Under the mosquito permit, only liquid formulations of <i>Bti</i> or <i>Bs</i> may be used, and where the waterbody proposed for treatment has no surface water connection to free-flowing waters.</p> <p><b>Under the piscicide permit the MDIFW is the only authorized permittee</b>, although may use qualified agents under direct supervision and control. Only approved concentrations and formulations of 3 Prentox approved rotenone products may be used. Extensive water quality chemical and biological monitoring must be conducted to determine pesticide concentration, efficiency and modeling of rotenone degradation and dispersal.</p> <p><b>Under the invasive plant permit, the IASP is the only authorized permittee</b>, although may use qualified agents under direct supervision and control. Only approved concentrations and formulations of Fluridone, Diquat, or 2,4-D may be used. Extensive water quality chemical and biological monitoring must be conducted to determine pesticide concentration, efficiency and modeling of herbicide degradation and dispersal.</p>	<p>Have 3 prior permits in place. If needed, will develop tool to bridge to EPA's PGP</p> <p>Link to <a href="#">Maine</a> draft permits</p> <p>Robert Stratton, ME DEP 207-215-1579</p>

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Maryland</b> (EPA Region 3)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy  Not covered are aquatic weed (other than wetland species such as phragmites) and algae control applications in <b>tidal waters</b> .	Yes, automatic coverage for all.  PDMPs are required to be developed and maintained if annual treatment thresholds are exceeded.	6,400 A mosquito or forest canopy; 80 A water; 20 miles water's edge (weeds, animals)  Animal and weed control each area shall be counted only once  For linear waterways larger than ditches, each side is counted separately	Develop and maintain PDMP; keep a detailed spray log of each pesticide applied.  Any operator that reports an adverse incident must also submit an annual report.	No delay	<b>Waters of the State</b>  Includes all public ditches, tax ditches, and public drainage systems in the state, except those for sanitary sewage. Includes all land within 100 year flood plain of free-flowing waters, wetlands (whether or not there is a nexus with waters of US)	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate; conduct spot checks; perform corrective actions; <b>implement IPM measures</b> ; report adverse incidents and spills > RQ; report any noncompliance or upset; comply with all applicable statutes and regulations	Notify MDNR and either FWS or NMFS of adverse incident to threatened or endangered species or critical habitat	Operators that treat water supply impoundments that are over a half mile long with copper compounds shall not raise copper concentrations above the state water quality criteria (9 ug/l) below the outlet of the impoundment and in over one third of the cross-sectional area of the impoundment.	Link to <a href="#">Maryland</a> final permit  Ed Gertler MD DoE 410-537-3651
<b>Massachusetts</b> (EPA Region 1)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  <b>EPA's federal PGP will apply in MA, as well as AK, ID, NH, NM, OK</b>	Yes, automatic coverage is available for pesticide applicators, R&D scientists, and those entities making application decisions for pest-control treatments of less than the annual treatment areas.  EPA's PGP will become effective October 31, 2011 but first NOI submissions are not due by January 9, 2012 – thus all Operators will be automatically covered until that date.	Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.  Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities (not described above) making pesticide application decisions for: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds, animals); 20 linear miles/yr at water's edge (weeds, animals).	Large Decision-makers: submit an NOI; conduct IPM; develop PDMP; monitoring & surveillance; extensive recordkeeping; submit an annual report  Small Decision-makers (public entity servicing <10,000 citizens, or private entity with <50 employees earning <\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report)  For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses, but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.	No delay for automatic coverage, or for others making applications in response to a declared pest emergency.  No delay for Decision-makers whose discharges begin before January 9, 2012  If a Decision-maker submits an NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and accurate NOI	<b>Waters of the US</b>  EPA states that delineated Waters of the US may or may not be wet at the time of discharge; however discharges to such are still considered discharges to "Waters of the US" and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US, p. A-8).  On May 27, EPA and the Corps of Engineers finalized guidance on what is considered "waters of the US." The guidance identifies waters subject to the CWA; additional waters that may be if determined to be so by an analysis of "significant nexus" to a traditional navigable water; and aquatic areas generally not covered.	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat  Must comply with any ESA-related requirements	The revised PGP has dropped from the definition of "Operator" the mention of financial institutions that was in the June 2010 draft PGP, and defines operators as either (1) the entity who performs the application or who has day-to-day control of the application ("Applicators") or (2) any entity with control over the decision to perform pesticide applications including the ability to modify those decisions ("Decision-makers"), or those that are both Applicators and Decision-makers (e.g., municipal or private entities) (§ 1.0). The revised PGP distinguishes between these classes of Operators for compliance requirements.	Link to <a href="#">EPA</a> final permit  Allison Wiedeman, EPA, 202-564-0901

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State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<p><b>Michigan</b> (EPA Region 5)</p>	<p>Three uses of pest control are covered in separate permits:                      (1) forest canopy pest control;                      (2) larvae of mosquitoes and other flying insect pests.                      (3) "aquatic nuisance" control. An aquatic nuisance is defined as any weed, animal, bacteria or other organism that lives and/or propagates in water and impairs the use and enjoyment of waters.</p> <p><b>The application of <u>adulticides</u> is not permitted by the mosquito control general permit Mosquito control to reduce <u>nuisance mosquitoes</u> will not be permitted on MDNR administered lands unless there is an "imminent threat" to human health</b></p>	<p>Yes, automatic coverage is extended to all applicators of authorized pesticides to control <b>forest insects</b> or <b>flying insect pests</b>, including mosquito in larval stages, that do not exceed annual treatment threshold, and that are not required to obtain a certificate of coverage (COC), like an NOI. Automatic coverage is extended to any person treating "aquatic nuisance" pests if all of the following criteria are met: (a) a waterbody does not have an outlet; (b) there is no record of a state or federal endangered or threatened species present; (c) a waterbody has a surface area of less than 10 acres; (d) the bottomlands of a waterbody are owned by either of the following: (i) a single person; (ii) more than 1 person and written permissions is obtained from each person.</p>	<p>640 acres (larvae mosquitoes, forest canopies) Aquatic nuisance control conditions are more restrictive: a permit or COC must be obtained for all treatments of waters of the state for purposes of aquatic nuisance control, or waters of the state where the area of impact contains visible water at the time of chemical treatment, including visible water at the time of chemical treatment, including chemical treatment of the Great Lakes and Lake St. Clair where the area of impact is exposed bottomland located below the ordinary high tide mark.</p>	<p>Submit application for COC; implement IPM; complete a PDMP; more extensive record-keeping; submit annual reports; possibly submit a lake management plan for aquatic nuisance control treatments; activities required of all permittees</p>	<p>No delay for automatic coverage Receipt of COC is required for those who exceed thresholds. The state will either issue or deny a COC within 15 working days after receipt of application; the state will issue or deny a permit within 30 working days after receipt of application. Written permission is required from all landowners if a bottom land is to be treated, unless a contract is issued by a lake board or state or local government.</p>	<p><b>Waters of the State</b>, surface, including the Great Lakes and Lake St. Clair</p>	<p>Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations.</p>	<p>Assumes compliance with ESA</p>	<p>Pesticide applications should occur only during ice-free conditions. The general permits specific pesticides that are approved for application within Michigan. For example: For mosquito control, only <i>Bacillus sphaericus</i>, <i>bacillus thuringiensis israeliensis</i>, <i>Spinosad</i>, <i>Methoprene</i>, Monomolecular surface films, Larviciding oils. Any permittee proposing to apply a pesticide not listed in the general permit must seek an individual permit. For aquatic nuisance control the state may require posting prior to any treatment, publish announcement in a newspaper or on a local radio station, notify neighboring property owners that are within 100 feet of treatment area at least 7 days before treatment. Special requirements apply to the use of fluridone aquatic herbicide.</p>	<p>Michigan has postponed issuance of its final prmit until 2012</p> <p>Link to <a href="#">Michigan</a> draft permit</p> <p>Jeff Fisher MI DEQ 517-335-4188</p>

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State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Minnesota</b> (EPA Region 5)	<p>Four uses of pest control are covered in separate general permits:</p> <p>(1) Mosquito &amp; flying insects;                      (2) Algae and vegetative pests;                      (3) Nuisance animals in water or at water's edge;                      (4) Forest canopy pest control</p> <p>The algae &amp; vegetative permit provides coverage for pesticides &amp; non-pesticides (e.g., alum, iron) for either terrestrial or aquatic uses where discharge to waters of the state is unavoidable. This includes direct applications to water, to shoreline, to rights-of-way (ROW) including roadside ditches and utilities (electricity, gas, railroads, etc.). This does not cover terrestrial uses for weed control on ag crops or on forest floors.</p> <p>Unintended spray drift is not covered, although implicit in these permits is the coverage provided to pesticide residues that "drift" into water as a result of (a) application of adulticides above or near waters; (b) application of pesticides into forest canopies with waters or conveyances below; or (c) applications of herbicides to shorelines where some residues unavoidably enter nearby waters.</p>	Yes, unless annual treated area thresholds are exceeded.	<p><u>Mosquitoes</u> – All Federal &amp; State government entities with pest control; Local government that treat <b>6,400 acres/yr or more of pest management area</b>;  <u>Other flying insects</u>                      Local government that use <b>20 gallons/yr or more</b>;  <u>Forest canopy insect pests</u> – <b>6400 acres/yr treatment area</b>  <u>Aquatic animals</u> – lakes &gt; <b>20 acres/yr</b>, streams, ditches &gt; <b>20 miles/yr</b> or more;  <u>Vegetation &amp; algae</u> – all permittees who treat &gt; <b>15% of littoral zone</b> of lakes &gt;20 acres in size; All who treat &gt; <b>1200 acres</b> of waters of the state (including waters of the state in ROW, ditches) where water is present at the time of application)</p>	<p>Submit NOI; perform IPM; develop PDMP; keep more extensive records than those automatically covered; submit annual report</p> <p>2011 submission of NOI is to occur no earlier than 6 months after final permit issuance and no later than 9 months.</p> <p>NOI submission thereafter would occur prior to exceedance of an annual threshold – the deadlines for submission vary with category of permittee.</p>	<p>None if automatic or for declared emergencies.</p> <p>Automatic coverage expires after threshold has been exceeded</p> <p>Must wait for MPCA's Notice of Coverage (NOC) if required to submit and NOI.</p> <p>Submit NOI at least 10 days before threshold is exceeded, unless a declared emergency, then within 30 days of application.</p>	<p><b>Waters of the State</b></p> <p>The treatment area includes the entire area where the pesticide application is intended to provide pesticidal benefits – and in some instances will be larger than the area where pesticides are actually applied.</p>	<p>Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; inspect pesticide containers for leaks; store pesticides properly; conduct spot checks for adverse incidents and report within 15 days; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations, including FIFRA; meet applicable numeric and narrative state water quality standards.</p>	<p>Report any adverse incident to ESA species or habitat to FWS or DNR.</p>	<p>Includes "joint &amp; several liability" of decision-makers and applicators for permit compliance. MPCA is not requiring coverage for applicators. They must follow the "basic requirements" and if hired by an entity that receives a NOC, then they must operate under the permittee's NOC.</p> <p>Requires documentation of IPM pest management tools evaluation and basis for selection – even if no pesticide is used.</p> <p>MPCA intends to remove this requirement after receiving comments during the public comment period.</p> <p>Minnesota divides authority for pesticide use among three agencies:                      (1) Pollution Control Agency = NPDES permitting;                      (2) Department of Agriculture = FIFRA enforcement;                      (3) Department of Natural Resources = aquatic plant control certification.</p>	<p>Link to final <a href="#">Minnesota</a> permit</p> <p>Elise Doucette                      MN PCA                      651-757-2316</p>

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State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Mississippi</b> (EPA Region 4)	<p>Five categories of pest control:            (1) Mosquitoes and other flying insects;            (2) Weed, algae and pathogen control in water and at water's edge;            (3) Nuisance animal control in water and at water's edge;            (4) Forest canopy pest control, <u>both aerial and ground applications to the canopy</u>; and            (5) other individual "case by case" conditions.</p> <p>No permit is needed for silvicultural activities including non-point silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction.</p>	<p>Yes, all operators are automatically covered under this permit unless they exceed thresholds.</p> <p>Large entities are automatically covered under this permit until October 31, 2011. After this date, coverage is available if such large entities submit an NOI and develop a PDMP. "Large entities" are defined as any public entity serving over 10,000 people or any private entity that exceeds the Small Business Administration size standard.</p>	<p>6,400 A/yr cumulative (mosquitoes &amp; forests);</p> <p>80 A/yr water (weeds, algae and pathogen) or 20 miles/yr water's edge (nuisance animal).</p> <p>For calculating water area annual treatment areas, count each application activity and both sides of a linear water body as one activity.</p>	<p>Submit NOI; complete a PDMP; complete an annual report (submit to MDEQ upon request)</p> <p>Owner(s) and contractor(s) associated with regulated pesticide application activities have joint and severable responsibilities for compliance with the permit.</p>	<p>No delay for automatic coverage.</p> <p>Others must await written notification from MDEQ. For these operators, an NOI ("PNOI") must be submitted no later than 10 days before discharge, or in the case of a declared pest emergency no later than 30 days after start of discharge.</p>	<p><b>Waters of the State</b>, including irrigation canals and ditches</p>	<p>Assess weather conditions; Minimize discharges; Use lowest effective product amount; Perform maintenance, calibration and cleaning of equipment; monitor operations; Monitor applications; Keep records; Take steps to minimize any adverse impact resulting from noncompliance with the permit; Keep certain records; Comply with all applicable statutes and regulations; Control applications to meet applicable numeric and narrative water quality rules and regulations; Conduct spot checks for adverse incidents &amp; document these; Perform corrective actions; Report noncompliance, adverse incident, or spill greater than RQ.</p>	<p>Coverage under this permit is available only if the regulated entity's pesticide and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened under ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA.</p> <p>Adverse incidents to threatened or endangered species or critical habitat require additional notification and reporting.</p>	<p>Treatment under this permit of impaired waterbodies may occur if there is a TMDL established or approved by EPA if the conditions of that TMDL are incorporated in the permit.</p> <p>ONRW Tier 3 waters may be treated under this permit, but an NOI must be submitted to obtain coverage.</p>	<p>Link to <a href="#">Mississippi</a> final permit</p> <p>Kenneth Laffleur MS DEQ 601-961-5192</p>
<b>Missouri</b> (EPA Region 7)	<p>Four categories of pest control:            (1) Mosquito &amp; flying insects;            (2) Aquatic weed and algae control in water or at water's edge;            (3) Nuisance animals in water or at water's edge;            (4) Forest canopy pest control – ground or aerial applications</p>	<p>No, to obtain coverage an NOI must be submitted.</p> <p>The thresholds determine whether a permit is required.</p> <p>A pesticide operator must obtain coverage under this permit if its annual treatment amount exceeds the thresholds during a</p>	<p>6,400 A/yr land (mosquitoes &amp; forests); all treatments are summed to determine annual total;</p> <p>80 A/yr water (weeds, animals); multiple treatments to same area only counted once;</p> <p>20 miles/yr at water's edge (weeds, algae, animals); multiple</p>	<p>Submit an NOI (DNR Form E); develop and implement written control practices and procedures to comply with the non-numeric effluent limitations (which implement IPM); PDMP; submit annual reports + activities required in column 8</p>	<p>Operators are covered 10 days after state receipt of NOI.</p> <p>No delay for a declared pest emergency situation, but operators must submit their application for coverage within 30 days of</p>	<p><b>Waters of the State</b> includes all rivers, streams, lakes and other bodies of surface and subsurface water which are not entirely confined and located on privately owned lands. Includes irrigation ditches and canals, but do not include manmade waste treatment systems or manmade storm water structures. Treatment acreage</p>	<p>Minimize discharges and prevent any discharge in violation of the permit which has a reasonable likelihood of adversely affecting human health or the environment; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform and report any necessary corrective actions; report any</p>	<p>"This permit applies only to requirements under the Missouri Clean Water Law and the Federal Clean Water Act and their implemented regulations, and does not apply to other environmental laws and</p>	<p>Permit contains a reopener clause</p>	<p>Link to <a href="#">Missouri</a> final permit</p> <p>Darrick Steen MO DNR 573-751-1403</p>

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
		calendar year.	treatments to same area only counted once; count only canal length		commencing discharge.	calculations do not include water conveyances.	adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	regulations.”		
<b>Montana</b> (EPA Region 8)	Six categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water’s edge; (4) Forest canopy; (5) piscicides (invasive fish control) and R&D uses; (6) Aerial applicators and other	No, everyone must submit an NOI;  Those below annual thresholds are Tier 1 with reduced requirements;  Those that exceed annual thresholds are Tier II with greater requirements	>10 A water (R&D and piscicides for fish control);  100 A water (other nuisance animals, weeds & algae);  640 A land (forest canopy);  100 A (mosquito larvacides);  1000 A (mosquito chemical adulticide);  6,400 A (mosquito biological control);  1000 A aerial applicators and other	Submit NOI; prepare and maintain a PDMP that includes IPM; conduct visual monitoring of equipment and process; use lowest effective product amount and optimum frequency; routinely maintain and calibrate equipment; conduct spot checks for adverse incidents; perform corrective actions; report incidents and update PDMP in response; comply with all applicable statutes & regulations	Submission of an NOI must occur prior to the discharge of any pesticide over the threshold; the state will issue a letter of acknowledgement to the owner or operator.	<b>Waters of the State</b> , surface waters, and conveyances with hydrologic surface connection to state surface waters at the time of pesticide application; Montana considers pesticide application to be a temporary change in water quality so pesticide applications to water within the 8 National Parks and 15 Wilderness Areas to be eligible for coverage under PGP; "A-Closed" classified waters are not eligible for coverage under the permit for chemical pesticide applications but are for biological pesticide applications if about thresholds.	Anyone over thresholds must submit an NOI and comply with all permit requirements for all use categories (even if they don't exceed the thresholds for the additional categories), including: Minimize discharges; use lowest effective product amount; perform routine maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations.	No direct reference; Owners/operators must comply with all applicable statutes and regulations	It is up to the universe of operators regulated by a given NOI to determine, through contractual and other arrangements who will carry primary responsibility. The PGP identifies agricultural and silvicultural uses as Potentially subject to the PGP. The permit does not cover spray drift discharges. Failure to update a PDMP in a timely way to reflect changes in maintenance procedures etc., is a recordkeeping violation of the permit.  Owners/operators are required to implement IPM steps prior to the first pesticide application covered under this permit and at least once each calendar year thereafter. As part of the IPM requirements, operators are required to conduct surveillance prior to each application to determine if the action threshold is met that necessitates the need for pesticides.	Link to <a href="#">Montana</a> final permit  Jenny Chambers MT DEQ 406-444-4969

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Nebraska</b> (EPA Region 7)	<p>Applications for control of pests to, over, or near waters of the state.</p> <p>This permit does not cover terrestrial applications of pesticides that are not near water.</p> <p>To be eligible for coverage under this permit, the applicant must:</p> <ol style="list-style-type: none"> <li>1. Have control or management authority for water body or agreement with control authority;</li> <li>2. Be able to properly evaluate treatment options &amp; minimize impacts to the environment;</li> <li>3. Be able to identify the water body and designated uses under NE water quality standards;</li> <li>4. Be able to identify Threatened &amp; Endangered Species and habitat;</li> <li>5. Be able to meet pesticide product label requirements;</li> <li>6. For all who would derive public benefit from the state, submit with the application a completed US Citizenship Attestation form.</li> </ol>	<p>Yes, automatic coverage is provided to eligible management authorities or their pesticide applicators applying pesticides to Group I and II waters as long as they satisfy requirements of the permit.</p> <p>Group III waters require eligible permit applicants to apply for authorization to discharge under this permit by submitting an NOI and PDMP</p>	<p>No annual treatment thresholds, however requirements are applied to the type of waters being treated -- Groups III, II and I waters</p>	<p>Group III applicators must submit a PDMP (called a PUMP, Pesticide Use Management Plan) along with NOI</p>	<p>None for Type I and II waters;</p> <p>For Type III waters, NOI submissions must be received by the state no less than 7 days before intended application of the pesticides to, over, or near waters of the state.</p>	<p><b>Waters of the State</b> are divided into three groups for this permit:</p> <p><u>Group III waters:</u> State resource waters; impaired waters; waters where Threatened or Endangered Species or Critical Habitats exist and there is not a state-issued procedure for application there; application to conveyances within 250 feet of the above waters or of public drinking intake.</p> <p><u>Group II waters:</u> flowing streams or discharging waters in a conveyance where holding for &gt;24 hours isn't possible; not Group III waters</p> <p><u>Group I waters (nonflowing):</u> dry conveyances or state waters capable of being held &gt;24 hrs; not Group III waters</p>	<p>Groups III, II and I must identify target pests, identify non-target pests, identify Threatened &amp; Endangered Species and critical habitats prior to pesticide applications; assess weather conditions, determine the volume and chemical characteristics of receiving water for dosing if required by product label; comply with FIFRA and NE Pesticide Act including compliance with label directions; calibrate and maintain application equipment; inspect equipment prior to application; conduct visual monitoring during and up to 5 days after application for the occurrence of any spill, leak or adverse incident.</p> <p>Group II must also avoid impacts to upstream or adjacent waters</p> <p>Group III waters must also submit a Pesticide Use Management Plan (PUMP) to the state along with the NOI.</p>	<p>To obtain coverage, an applicant must be able to identify listed Threatened or Endangered Species.</p> <p>Permit prohibits unauthorized adverse effects on threatened or endangered species listed by the Nebraska Game and Parks Commission (NEGPC) or US Fish &amp; Wildlife Service (US FWS) or their critical habitat.</p> <p>When state- or federally-listed Threatened or Endangered Species or designated Critical Habitat may be in the Type III application target area, the NOI must include whether the pesticide may adversely affect them; any correspondence with US FWS, NEGPC, EPA or NDEQ; a description of measures necessarily taken to protect such species or habitat.</p>	<p>Must also comply with National Register of Historic Places.</p>	<p>Link to <a href="#">Nebraska</a> final permit</p> <p>Steve Goans NE DEQ 402-471-2580</p>



## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Nevada</b> (EPA Region 9)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  Area-Wide Discharge Permitting is available to a working group for aerial and ground application of pesticides over a large area, such as mosquito control, maintaining rights-of-way, drainage ditches, urban landscaping, orchards etc. under a single pesticide discharge category.	Yes, all operators will receive automatic coverage for 180 days from permit issuance. Within that period, qualified operators must submit an NOI.	Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities making pesticide application decisions for: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds, animals); 50 linear miles/yr at water's edge (weeds, animals). Threshold calculations should count each application separately.	Submit an NOI, develop and implement a PDMP, implement BMPs prior to discharging, conduct monitoring & surveillance to look for adverse effects during application and during any post-application efficacy checks if conducted; possible lab or field-conducted water quality analysis; photographic documentation of all discharges submitted with a brief summary narrative report quarterly if conditions have changed; extensive recordkeeping; submit an annual report	Operators shall not begin discharges of pesticides until the Division has issued written authorization to apply pesticides under this permit. Existing pesticide applicators who are covered by a current permit may continue to discharge until such valid permit expires.	<b>Waters of the US</b> , including applications to conveyances with a hydrologic surface connection to Waters of the US at the time of pesticide application.	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations and ensure the rate of pesticide application is calibrated to deliver the precise quantity of pesticide needed to achieve greatest efficacy against the target pest; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance, spill that may seriously endanger human health or the environment, or adverse incident; keep records; comply with all applicable statutes and regulations.	No mention	IPM is defined in Appendix A, and Action Threshold(s) and Pest Surveillance are parts of the PDMP components required, but there is no explicit mention of a requirement for conducting IPM.	Link to <a href="#">Nevada</a> final permit  Alex Lanza, NV DEP, 775-687-9468
<b>New Hampshire</b> (EPA Region 1)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  <b>EPA's federal PGP will apply in NH, as well as AK, ID, MA, NM, OK</b>	Yes, automatic coverage is available for pesticide applicators, R&D scientists, and those entities making application decisions for pest-control treatments of less than the annual treatment areas.  EPA's PGP will become effective October 31, 2011 but first NOI submissions are not due by January 9, 2012 – thus all Operators will be automatically covered until that date.	Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.  Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities (not described above) making pesticide application decisions for: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds,	Large Decision-makers: submit an NOI; conduct IPM; develop and implement a PDMP; conduct monitoring & surveillance; extensive recordkeeping; submit an annual report  Small Decision-makers (public entity servicing <10,000 citizens, or private entity with <50 employees earning <\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report)  For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses,	No delay for automatic coverage, or for others making applications in response to a declared pest emergency.  No delay for Decision-makers whose discharges begin before January 9, 2012  If a Decision-maker submits an NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and	<b>Waters of the US</b>  EPA states that delineated Waters of the US may or may not be wet at the time of discharge; however discharges to such are still considered discharges to "Waters of the US" and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US, p. A-8).  On May 27, EPA and the Corps of Engineers finalized guidance on what is considered "waters of the US." The guidance identifies waters subject to the CWA; additional waters that may be if determined to	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat  Must comply with any ESA-related requirements	The revised PGP has dropped from the definition of "Operator" the mention of financial institutions that was in the June 2010 draft PGP, and defines operators as either (1) the entity who performs the application or who has day-to-day control of the application ("Applicators") or (2) any entity with control over the decision to perform pesticide applications including the ability to modify those decisions ("Decision-makers"), or those that are both Applicators and Decision-makers (e.g., municipal or private entities) (§ 1.0). The revised PGP distinguishes between these classes of Operators for compliance requirements.	Link to <a href="#">EPA</a> final permit  Allison Wiedeman, EPA, 202-564-0901

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
			animals); 20 linear miles/yr at water's edge (weeds, animals).	but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.	accurate NOI	be so by an analysis of "significant nexus" to a traditional navigable water; and aquatic areas generally not covered.				
<b>New Jersey</b> (EPA Region 2)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy (5) Agricultural activities conducted in waters of the state	Yes, automatic coverage of permit by rule is extended to all operators who discharge to waterbodies that are not classified as Pinelands or FW1 waters and do not exceed any of the applicable annual treatment area thresholds.	640 A land (mosquitoes & forests); 20 A water or 20 miles water's edge (weeds, animals) 100 A (aquatic agricultural activities)	Submit an RFA (Request for Authorization); implement IPM practices; submit annual reports; conduct visual monitoring on the day of treatment of any Pinelands or FW1 waters, choosing the waterbody that received the highest quantity of pesticide to check for adverse effects; develop PDMP if applications will exceed thresholds or are to Pinelands or FW1 waters; pay fees.	None for automatic coverage; RFA submitters must wait for approval	<b>Waters of the State</b> , surface, and conveyances with a hydrologic surface connection to waters of the state at the time of application.	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations.	Permittees must take all necessary and practicable steps to avoid adverse incidents to state & federally listed species of endangered or threatened wildlife, or federally listed or candidate New Jersey plant species.	Only the decision making entity is considered the permittee, even if a hired contractor is applying the pesticide.  Annual reports are required from all who discharge to Pinelands and FW1 waters, or from those discharging to other waterbodies that were required to submit an RFA and who reported an adverse incident in the past calendar year.	Link to <a href="#">New Jersey</a> final permit  Teressa Guloy, NJ DEP 609-292-4860
<b>New Mexico</b> (EPA Region 6)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  <b>EPA's federal PGP will apply in NM, as well as AK, ID, MA, NH, OK</b>	Yes, automatic coverage is available for pesticide applicators, R&D scientists, and those entities making application decisions for pest-control treatments of less than the annual treatment areas.  EPA's PGP will become effective October 31, 2011 but first NOI submissions are not due by January	Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.  Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for	Large Decision-makers: submit an NOI; conduct IPM; develop PDMP; monitoring & surveillance; extensive recordkeeping; submit an annual report  Small Decision-makers (public entity servicing <10,000 citizens, or private entity with <50 employees earning <\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report)	No delay for automatic coverage, or for others making applications in response to a declared pest emergency.  No delay for Decision-makers whose discharges begin before January 9, 2012  If a Decision-maker submits an	<b>Waters of the US</b>  EPA states that delineated Waters of the US may or may not be wet at the time of discharge; however discharges to such are still considered discharges to "Waters of the US" and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US, p. A-8).	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat  Must comply with any ESA-related requirements	The revised PGP has dropped from the definition of "Operator" the mention of financial institutions that was in the June 2010 draft PGP, and defines operators as either (1) the entity who performs the application or who has day-to-day control of the application ("Applicators") or (2) any entity with control over the decision to perform pesticide applications including the ability to modify those decisions ("Decision-makers"), or those that are	Link to <a href="#">EPA</a> final permit  Allison Wiedeman, EPA, 202-564-0901

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State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
		9, 2012 – thus all Operators will be automatically covered until that date.	those public and private entities (not described above) making pesticide application decisions for: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds, animals); 20 linear miles/yr at water’s edge (weeds, animals).	For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses, but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.	NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and accurate NOI	On May 27, EPA and the Corps of Engineers finalized guidance on what is considered “waters of the US.” The guidance identifies waters subject to the CWA; additional waters that may be if determined to be so by an analysis of “significant nexus” to a traditional navigable water; and aquatic areas generally not covered.			both Applicators and Decision-makers (e.g., municipal or private entities) (§ 1.0). The revised PGP distinguishes between these classes of Operators for compliance requirements.	

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>New York</b> (EPA Region 2)	<p>All applications to, in or over surface waters of the state of pesticides labeled for aquatic uses for pest control.</p>	<p>No ; anyone desiring coverage by this general permit must submit an NOI for <u>any</u> aquatic pesticide applications unless prohibited</p> <p>Other state individual permits may also apply</p>	None	All permittees must meet permit requirements	<p>Coverage is effective 5 business days after the state receives the NOI, unless earlier written notice is provided to the operator. Before submission of NOI, <b>operators may need to also satisfy:</b> (a) project review under State Environmental Quality Review Act; (b) other state permits, e.g., Article 15; (c) IPM evaluation completed; (d) PDMP development completed.</p>	<p><b>Waters of the State,</b> surface, including Outstanding National Resource Waters (ONRWs)</p>	<p>Submit NOI; develop PDMP; minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; keep certain records (including any EIS, SOP or management plan that is required, and a copy of any Pesticide Purchase Permit); comply with all applicable statutes and regulations.</p> <p>PDMP is required before most applications but not the following: (a) aquatic pesticide applications applied under an Article 15 permit; (b) to a pond of 1 A or less in size that has no outlet to a surface water of the state and which lies completely within the boundaries of lands; or (c) to freshwater wetlands that are not jurisdictional waters. IPM is required before most applications but not the following: (a) to a pond of 1 A or less in size that has no outlet to a surface water of the state and which lies completely within the boundaries of lands privately owned or leased by the operator; or (b) to freshwater wetlands that are not jurisdictional waters.</p>	<p>Permit does not authorize discharges likely to have unauthorized adverse effects on threatened or endangered species or on the critical habitat for these species</p>	<p>For each NOI covering a pesticide application there is to be only one operator identified on the NOI; this can be either a decision maker or applicator; all pesticide applications must be of pesticides labeled for aquatic uses and accepted by New York State; are in conformance with 6NYCRR Part 325 controlling application of pesticides; are made in conformance with the control measures and other requirements of any individual permits issued by the state.</p>	<p>Link to <a href="#">New York</a> final permit</p> <p>Kevin Roberts, NYS DEC 518-402-8278</p>

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<p><b>North Carolina</b> (EPA Region 4)</p>	<p>Five categories of pest control:                      (1) Mosquito/flying insect pests;                      (2) Aquatic weeds/algae;                      (3) Aquatic nuisance animals;                      (4) Forest canopy pests (aerial application);                      (5) Intrusive vegetation (rights-of-way)</p>	<p>Yes, automatic coverage for applications covered by this permit but below annual thresholds</p>	<p><u>Mosquitoes</u>: 15,000 A/yr adulticides   <u>Aquatic weeds &amp; algae</u>: 1000 A/yr or 200 miles/yr   <u>Animals</u>: 200 A/yr or 200 miles/yr   <u>Forest canopy</u>: 10,000 A/yr   <u>Intrusive vegetation</u>: 500 linear miles/yr                       (multiple applications to the same area are added together only for mosquito &amp; other flying pest control activities)</p>	<p>NOI, PDMP, more extensive record keeping.                       No mention of IPM or annual report requirements</p>	<p>10 days after the state WEQ posts on the Internet receipt of NOI                       No delay if in response to a declared pest emergency situation</p>	<p><b>Waters of the State</b>, including surface and ground waters.</p>	<p>Minimize discharges; apply pesticides at or below the highest rate allowed by the product label; perform regular maintenance and calibrate equipment; monitor operations; inspect pesticide containers for leaks; store pesticides properly; conduct spot checks for adverse incidents and report within 15 days; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; comply with all applicable statutes and regulations, including FIFRA; meet applicable numeric and narrative state water quality standards.</p>	<p>Assumes compliance with all state and federal statutes. Also includes specific section (6.4.3) that addresses notification of NMFS or FWS in case of adverse incident to listed species.</p>	<p>State officials indicate that they intended to strike “aerial” from the “forest canopy pests” control use category.                       Must ensure the equipment’s rate of pesticide application is calibrated to deliver the appropriate quantity of pesticides needed to achieve greatest efficacy against the target pest.                       Extensive recordkeeping requirement applies to those required to submit NOI and to any for-hire applicator.</p>	<p>Link to <a href="#">North Carolina</a> final permit                       There is a phase in period until January 12, 2012 for NOI submission.                       Jeff Poupart                      NC DENR                      919-807-6309</p>
<p><b>North Dakota</b> (EPA Region 8)</p>	<p>Four categories of pest control:                      (1) Mosquito/flying insect pests;                      (2) Aquatic weeds/algae;                      (3) Aquatic nuisance animals;                      (4) Forest canopy pests (aerial application);</p>	<p>Yes, automatic coverage for all persons subject to this permit without submitting an NOI</p>	<p>No annual thresholds</p>	<p>N/a</p>	<p>The ND Dept of Health must be notified at least 20 days prior to the application, except in the case of a declared pest emergency, in which case notice must be provided within 20 days after the application</p>	<p><b>Waters of the State</b></p>	<p>All applicators must be certified; notice of pesticide application submitted 20 days prior; meet all water quality standards; minimize discharges; perform regular maintenance and calibration of equipment; monitor operations; visually monitor treatment areas, where practical, for adverse effects; keep records (separate requirements for dealers and RU pesticide applicators); report accidents and adverse incidents within 24 hrs and 5 days; report all instances of noncompliance not subject to the 24 hrs requirement within 20 days; conduct minimal IPM;</p>	<p>None</p>	<p>Notice of application requires submission of chemical name and composition; map of treatment area with size parameters; list of target pests; total amount of pesticide to be applied and calculated final a.i. concentration in water immediately after application; contact information of the certified applicator.                       Handling and storage facilities must maintained according to label recommendations and NDDA regulations and BMPs.</p>	<p>Link to <a href="#">North Dakota</a> final permit                       Gary Bracht                      NDDH                      701-328-5227</p>

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Oklahoma</b> (EPA Region 6)	Four categories of pest control: (1) Mosquito & flying insects; (2) Algae and vegetative pests; (3) Nuisance animals in water or at water's edge; (4) Forest canopy pest control  <b>EPA's federal PGP will apply in OK, as well as AK, ID, MA, NH, NM</b>	Yes, automatic coverage is available for pesticide applicators, R&D scientists, and those entities making application decisions for pest-control treatments of less than the annual treatment areas.  EPA's PGP will become effective October 31, 2011 but first NOI submissions are not due by January 9, 2012 – thus all Operators will be automatically covered until that date.	Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.  Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities (not described above) making pesticide application decisions for: 6,400 A/yr land (mosquito adulticides & forest canopies); 80 A/yr water (weeds, animals); 20 linear miles/yr at water's edge (weeds, animals).	Large Decision-makers: submit an NOI; conduct IPM; develop PDMP; monitoring & surveillance; extensive recordkeeping; submit an annual report  Small Decision-makers (public entity servicing <10,000 citizens, or private entity with <50 employees earning <\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report)  For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses, but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.	No delay for automatic coverage, or for others making applications in response to a declared pest emergency.  No delay for Decision-makers whose discharges begin before January 9, 2012  If a Decision-maker submits an NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and accurate NOI	<b>Waters of the US</b>  EPA states that delineated Waters of the US may or may not be wet at the time of discharge; however discharges to such are still considered discharges to "Waters of the US" and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US, p. A-8).  On May 27, EPA and the Corps of Engineers finalized guidance on what is considered "waters of the US." The guidance identifies waters subject to the CWA; additional waters that may be if determined to be so by an analysis of "significant nexus" to a traditional navigable water; and aquatic areas generally not covered.	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat  Must comply with any ESA-related requirements	The revised PGP has dropped from the definition of "Operator" the mention of financial institutions that was in the June 2010 draft PGP, and defines operators as either (1) the entity who performs the application or who has day-to-day control of the application ("Applicators") or (2) any entity with control over the decision to perform pesticide applications including the ability to modify those decisions ("Decision-makers"), or those that are both Applicators and Decision-makers (e.g., municipal or private entities) (§ 1.0). The revised PGP distinguishes between these classes of Operators for compliance requirements.	Link to <a href="#">EPA</a> final permit  Allison Wiedeman, EPA, 202-564-0901

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<b>Ohio</b> (EPA Region 5)	<p>Four categories of pest control:</p> <ul style="list-style-type: none"> <li>(1) Mosquito &amp; flying insects;</li> <li>(2) Algae and vegetative pests;</li> <li>(3) Nuisance animals in water or at water's edge;</li> <li>(4) Forest canopy;</li> <li>(5) Resource conservation management;</li> <li>(6) Utility and other rights-of-way</li> </ul>	<p>Yes, but an NOI is needed for piscicide applications, any application to drinking water reservoirs, any application to wetlands or ONRWs or SHQWs, any application to wetlands that exceeds an annual treatment area threshold, or any aerial spraying for forest pest control or for aquatic weed control in Lake Erie that exceeds annual threshold</p>	<p>6400 A land (mosquitoes &amp; forests); 80 A water or 20 miles water's edge (weeds, animals). Annual thresholds for all other pesticide uses trigger IPM, PDMP, annual reporting and other requirements</p>	<p>Develop PDMP; conduct IPM; conduct monitoring; submit annual report; keep pest management log; keep extensive records; activities required of all permittees</p> <p>Resource conservation management permittees (Ohio DNR, regional metro park authorities) and those involved in wetland mitigation would be exempt from NOI, IPM and PDMP requirements</p>	<p>None</p>	<p><b>Waters of State</b>, as well as conveyances with surface hydrologic connection at time of discharge.</p> <p>Discharges to groundwater are not specifically authorized or included, although there are provisions in the permit that are designed to protect groundwater (for example, to meet water quality standards in those waterbodies (e.g., quarries) where there is expected to be a connection to groundwater.</p>	<p>Minimize discharges; use lowest effective product amount; perform maintenance and calibrate; meet applicable numeric and narrative state WQS (if the MCL is lower than FIFRA label application rate, the concentration of application rate may not exceed MCL based on whole waterbody dosage); applications to waterbodies with public access require sign postings for the duration of the longest FIFRA restriction; perform SOP corrective actions as needed; visual monitoring &amp; spot checks; report any adverse incidents or spills &gt;RQ; keep adverse incident reports, any corrective documentation; keep limited records; comply with all applicable statutes and regulations.</p>	<p>Coverage contingent on no adverse effect on listed species or designated habitat</p>	<p>Any application closer than 500 yards from a public water supply intake must notify supply operator.</p>	<p>Link to <a href="#">Ohio</a> final permit</p> <p>Eric Nygaard OH EPA 614-644-2024</p>
<b>Oregon</b> (EPA Region 10)	<p>Five categories of pest control are covered:</p> <ul style="list-style-type: none"> <li>(1) Mosquito &amp; flying insects;</li> <li>(2) Weed &amp; algae in water or at water's edge;</li> <li>(3) Nuisance animals in water or at water's edge;</li> <li>(4) Forest canopy;</li> <li>(5) Area wide pest control.</li> </ul> <p>Area wide pest control is for aerial pesticide application to cover large areas to avoid substantial and widespread economic and social impact, when in order to target pests effectively, a portion of the pesticide unavoidably will be applied over and deposited in water. The pest control under this category is not included in the other four categories.</p>	<p>Yes, when below annual thresholds</p> <p>No registration or permit fees</p>	<p>6400 A land (mosquitoes, forests, area wide); 20 A water or 50 miles water's edge (weeds, animals)</p> <p><b>For calculating treatment areas, count each area once regardless of the number of applications to that same area in a given year</b></p>	<p>Submit NOI; pay registration and annual fees; conduct more extensive IPM than is required of permittees automatically covered; develop PDMP; keep spray logs; records of surveillance; submit annual reports; keep more extensive records; activities required of all permittees</p>	<p>Must wait for written authorization from DEQ.</p> <p>Must submit application for coverage at least 30 days prior to planned pesticide application</p>	<p><b>Waters of the state</b> or conveyances with a hydrologic surface to waters of the state</p> <p>The term "water's edge" means applications made within 3 feet of waters of the state or conveyances</p> <p>Irrigation districts formed under ORS 545 are not included</p>	<p>Keep a copy of the permit; not cause or contribute to a violation of water quality standards; use optimal amount of pesticide consistent with label; perform maintenance and calibrate equipment; monitor operations and perform corrective action before next application; <b>notify public when drinking water sources are treated</b>; conduct visual assessments and report adverse incidents or spills; <b>use a limited version of IPM</b>; keep certain records; keep copy of permit; comply with all applicable statutes and regulations</p>	<p>None</p>	<p>Schedule F NPDES general conditions, section C includes detailed instructions for any aquatic sampling and measurements that might be required, although the general permit itself doesn't include monitoring of pesticide concentrations.</p>	<p>Link to <a href="#">Oregon</a> final permit</p> <p>Was effective on April 9, 2011</p> <p>Beth Moore OR DEQ 503-229-6402</p>

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<b>Pennsylvania</b> (EPA Region 3)	Four categories of pest control: (1) Mosquito & flying insect pests; (2) Aquatic weed and algae pests; (3) Animal pests; (4) Forest canopy pests	Yes, automatic coverage if below annual treatment area thresholds	6400 A land (mosquitoes & forests); 80 A water or 20 miles water's edge (weeds & animals)	Submit NOI & annual report; develop PDMP; conduct Pest Management Measures; keep more extensive records; activities required of all permittees	No delay for automatic coverage or in response to declared emergency; Others above threshold must wait for receipt of state approval letter after January 9, 2012. No delay if submitted NOI prior to January 9, 2012.	<b>Waters of Commonwealth of PA</b> , including all rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of PA.	Minimize discharges; use only the amount and frequency of pesticides necessary to control the target pest using appropriate equipment and procedures for the task; perform maintenance and calibrate; conduct spot checks; perform corrective actions; report adverse incidents and spills > RQ; report any noncompliance or upset; keep limited records; keep copy of permit; comply with all applicable statutes and regulations.	Coverage contingent on no adverse effect; Must report any adverse incident.	Algaecide, herbicide, or fish control chemicals application of all sizes subject to both earlier (PA Fish & oar Commission & DEP) and new NPDES permitting requirement; Applicators exceeding thresholds must do Pest Management Measures.	Link to <a href="#">Pennsylvania</a> final permit  Dharmendra Kumar, DEP, 717-783-2288
<b>Rhode Island</b> (EPA Region 1)										PGP not finished. Had previous permits.  Angelo Liberti, RI DEM 401-222-4700 x7225



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State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>South Carolina</b>  (EPA Region 4)	Six categories of pest control: (1) Mosquito/flying insect pests; (2) Aquatic weeds/algae; (3) Aquatic nuisance animals; (4) Forest pests; (5) Intrusive vegetation (rights-of-way) (6) Other similar activities (case by case approval)	Automatic coverage for all operators below annual treatment thresholds.  <b>Thresholds determine what parts of the permit apply to an entity, not whether the general permit applies to them</b>	8960 A/yr total (mosquitoes, etc)  200 A or 20 linear miles/yr (aquatic weed or algae)  20 A or 20 linear miles/yr (aquatic nuisance animals)  6400 A/yr (forest treatment – both canopy and ground)  100 linear miles/yr (intrusive vegetation);  100 A/yr (treating own property)	NOI, IPM, PDMP, all other permit requirements required of entities that exceed annual thresholds  NOI, IPM and other permit requirements required of for-hire applicators that exceed thresholds (no PDMP requirement)  Visual monitoring after pesticide application for adverse incidents when safe and feasible	For the initial period (first 75 days after the effective date of the permit), the deadline for submission of an NOI is 60 days after the effective date of the permit.  Following this initial period, coverage is granted after 10 days unless DHEC notifies the applicant. For treatment of fast spreading aquatic weeds, must submit NOI within 15 days after first discharge.	<b>Waters of the State</b> , including isolated wetlands, ephemeral streams (a discharge to dry creeks is regulated)	Limit discharges; use effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; keep copy of permit; comply with all applicable statutes and regulations.	Assumes compliance with ESA	IPM is only required of those pesticide use patters that exceed annual thresholds.  Large users who surpass the thresholds have 60 days after the effective date to submit NOIs.	Link to <a href="#">South Carolina</a> final permit  Jeff DeBessonet SC DHEC 803-898-4157
<b>South Dakota</b>  (EPA Region 8)	Five categories of pest control are covered in one permit: (1) Mosquito & other flying insect pest control; (2) Weed & algae control; (3) Aerial pest control; (4) Ditch & streambank pest control, if water present; (5) Declared pest emergency situations, if water present.  Weed & algae control permit covers applications in water and at water's edge, including irrigation ditches and/or irrigation canals, if water is present at time of application.	Yes, all permittees are automatically covered.  Annual treatment thresholds only determine who must submit an annual report. Any permittee making an application because of a declared pest emergency must also submit an annual report	<u>Mosquitoes and other flying insects</u> – 6,400 acres of water annually; <u>Weed &amp; algae control</u> – 80 A water per application (not cumulative) or 20 linear miles at water's edge per application (not cumulative); <u>Ditch &amp; Stream Bank control</u> – 80 A water per application (not cumulative) or 20 linear miles at water's edge per application (not cumulative); <u>Aerial Pest Control</u> – 6,400 acres of surface water annually	PDMP is required of any permittees who apply pesticides because of a declared pest emergency, or have been certified for either (a) aquatic pest control or (b) public health pest control. Additional records are also required of these permittees.  Basic record keeping and adverse incident reporting is required of all permittees.	No delay	<b>Waters of the State</b>  No permit coverage is needed if pesticide application is made to a dry drainage and does not reach a flowing stream	Implement modified IPM that includes (a) identification of areas; extent of pest problem; identify target pests and, for insects, their breeding sites for source reduction, larval control and habitat management; (b) inspect treatment areas prior to each application in order to implement appropriate pest controls; (c) inspect each treatment area after each application to look for adverse impacts to water quality or non-target organisms. (d) For ditch and streambanks, record environmental conditions and target the most susceptible developmental stage.	No direct reference; Permittees must comply with all applicable statutes and regulations	Reopener provision  Individual permits for applicators are required for treatment of 303(d)-listed waters (unless a TMDL establishes a wasteload allocation for the discharge) or for control of invasive or nuisance pests (including animals) in lakes, ponds, rivers, streams.	Link to <a href="#">South Dakota</a> final permit  Jonathan Hill SD DENR 605-773-3351

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Tennessee (EPA Region 4)										Vojin Janjic, TDEC, 615-532-0670
Texas (EPA Region 6)	<p>This permit covers these categories of pest control uses:</p> <ol style="list-style-type: none"> <li>(1) Mosquito and other nuisance insect pest control;</li> <li>(2) Vegetation and algae control;</li> <li>(3) Nuisance animal control;</li> <li>(4) Area-wide pest control;</li> <li>(5) Forest canopy pest control (aerial and ground applications to control insect pests, manage vegetation in forested stands or those planned for revegetation, using herbicides to manage vegetation to maintain ROW, or forest tree management).</li> </ol> <p><u>Level IA Operators:</u> Those public entities applying Restricted Use Pesticides (RUP), State Limited Use (SLU) pesticides or Regulated Herbicides (RH) to waters of the US where there is public or private access or Those private entities applying RUP or SLU pesticides or RH to waters of the US where there is public access <u>and</u> who exceed the annual acreage threshold for one of the above use patterns.</p> <p><u>Level IB Operators:</u> Those public entities applying general use pesticides (GUP) to water where there is public or private access, <u>or</u> Those private entities applying GUP to waters of US where there is public access, or private entities applying GUP, RUP or SLU or RH pesticides to an area where there is only private access, <u>and</u> who exceed the annual acreage threshold for one of the above use patterns.</p>	<p>Yes, automatic coverage (no NOI required) for the following operators below annual thresholds:</p> <ul style="list-style-type: none"> <li>• RUP or SLU pesticide or RH, with Level II compliance (self certification form (onsite), operator must be licensed by TDA, no fees);</li> <li>• GUP for <math>\geq 1</math> A/yr water of US, with Level II compliance (self certification form (onsite), operator must be licensed by TDA, no fees);</li> <li>• GUP for <math>&lt; 1</math> /A/yr of waters of the US, with Level III compliance, no fees</li> </ul>	<p>Annual thresholds vary by type of operator:</p> <p>(1) <b>Level I operators</b> annual thresholds are: (a) mosquito control on <math>\geq 6,400</math> acres and containing waters of the US; (b) vegetation and algae control <math>\geq 100</math> acres in water or <math>\geq 200</math> linear miles at water's edge; (c) nuisance animal control <math>\geq 100</math> acres in water or 200 linear miles at water's edge; (d) area-wide pest control <math>\geq 6,400</math> acres and containing waters of the US; (e) forest canopy pest control operators treating a pest management area <math>\geq 6,400</math> acres and containing waters of US.</p> <p>(2) <b>Level II Operators:</b> one (1) acre or more per year</p> <p>(3) <b>Level III Operators:</b> less than one (1) acre per year</p>	<p><b>Level IA</b> compliance (NOI, IPM, PDMP for each treatment area, annual report, ePermit, be a licensed operator, fees apply for operators making applications of RUP, SLU or RH above annual thresholds where location of use is:</p> <ul style="list-style-type: none"> <li>• Use by public entities where there is either public or private access (i.e., State agencies, Cities, Counties) <u>or</u></li> <li>• Use by private entities where there is public access (i.e., pest control companies doing nuisance insect control in parks.</li> </ul> <p><b>Level IB</b> compliance (no NOI, no annual report, no PDMP, self certification, be a licensed operator, no fees) for operators making RUP, SLU or RH applications above annual threshold where location of use is by private entities with only private access (i.e., farmers on stock ponds or creeks, homeowners association around lake)</p> <p><b>Level II</b> compliance (no NOI, no annual report, no PDMP, self certification, no fees) for operators making GUP applications above annual threshold</p>	<p>No delay for a declared emergency.</p> <p>Provisional authorization begins 48 hours after a completed NOI is postmarked for delivery to TCEQ. For electronic submission of NOIs, provisional authorization begins 24 hours after receipt by TCEQ. Final authorization is effective upon receipt of written NOI approval along with an authorization number.</p>	<p><b>Waters of the US</b> (no mention of conveyances)</p>	<p><b>Level II operators:</b> Minimize discharges; use lowest effective perform maintenance and calibrate equipment; monitor operations; conduct spot checks 3 days after each application looking for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or upset; keep limited records, including the permit, an adverse incident reports, and a copy of the self certification form; comply with all applicable statutes and regulations.</p> <p><b>Level III operators:</b> Minimize discharges; apply in accordance with state law and pesticide product label; use lowest effective perform maintenance and calibrate equipment; perform corrective actions. Store pesticides and dispose of unused pesticides and their containers according to the label instructions. No recordkeeping or reporting requirements.</p>	<p>No mention</p>	<p>Discharges are not authorized to the Edwards Aquifer Recharge Zone, or to other watersheds, aquifer recharge zones and water quality areas prohibited by TAC rules;</p> <p>Operators must submit a NOI for each pest management area that meets requirements of Part IIA.1. NOIs are required of Level IA or IB operators who exceed annual acreage/miles thresholds may be a (1) single treatment area NOI, or (2) if a public entity and have 5+ treatment areas can apply for a county-wide NOI, or (3) if a public entity and have 10+ treatment areas can apply for state-wide NOI).</p>	<p>Link to <a href="#">Texas</a> final permit</p> <p>Joy Tegbe 512-239-1318</p>

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	<p><b>Level II Operators:</b> Those public or private entities applying RUP or SLU pesticides or RH to waters where there is public or private access, or those public or private entities applying GUP pesticides to one (1) acre or more of waters of US in one calendar year where there is public or private access, and who do not meet the 5 pesticide use patterns described for Level I Operators above.</p> <p><b>Level III Operators:</b> Those public or private entities applying GUP regardless of number of applications, to less than one (1) acre of water of the US per year where there is public or private access</p>			<p>where location of use is use by private entities with only private access (i.e., farmers on stock ponds or creeks, homeowners association around lake)</p> <p><b>Level III compliance:</b> follow FIFRA label</p>						
<p><b>Utah</b> (EPA Region 8)</p>	<p>This permit covers four categories of pesticide uses:</p> <ol style="list-style-type: none"> <li>(1) Mosquitoes and other insect pests</li> <li>(2) Weed and algae control</li> <li>(3) Nuisance animals in or near water</li> <li>(4) Forest canopy spraying (e.g., insect or pathogen pests)</li> </ol> <p><b>Operator Group 1:</b> All operators involved in all discharges to Category 1 waters of the state (Tier 3 waters);</p> <p><b>Operator Group 2:</b> All government or quasi-governmental agencies or special service districts (federal, state, county or local agencies, and special service districts) that discharge pesticides as a primary purpose or as a significant activity of their operations;</p>	No, all qualifying groups of organizations (operators) in Groups #1-4 involved in the discharge of pesticides on or near surface waters of the state for any of the four use patterns must submit an NOI to obtain coverage under the PGP. For-hire aerial applicators hired by the operators would also need to submit an NOI.	6,400 acres (mosquitoes, other insects, forest canopy spraying), 80 acres (weed and algae, nuisance animals) 100 linear miles of treatment area at water's edge (weed and algae, nuisance animals)	<p>Submit an NOI, develop and implement a PDMP, IPM, recordkeeping.</p> <p><b>These requirements apply to any entity that is required to submit an NOI, including any for-hire pesticide applicator.</b></p> <p>No submission of an annual report is required of any permittees under this permit, although a written annual report is required to be kept on site for possible review by DWQ.</p> <p>DWQ may require certain operators to monitor and report such results.</p>	<p>None for declared emergencies.</p> <p>Otherwise discharge is authorized 10 days after a complete and accurate NOI is mailed and postmarked.</p> <p>Based on a review of submitted NOIs, DWQ may delay authorization for further review, may add requirements to coverage for a given applicant, or may deny coverage under the general permit.</p>	<b>Surface Waters of the State</b>	Minimize discharges; use effective product amount and frequency; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spills; keep certain records, including concurrent spray logs; keep copy of permit; comply with all applicable statutes and regulations.	Any permittee that becomes aware of an adverse incident to a federally-listed threatened or endangered species or its critical habitat, that may have resulted from their discharge must immediately notify FWS.	Permittees will need to submit an NOI prior to Feb. 15, 2012	<p>Link to <a href="#">Utah</a> final permit</p> <p>An NOI must be submitted on or before Feb 15, 2012</p> <p>Mark Schmitz, UT DEQ 801-536-4384</p>

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	<p><b>Operator Group 3:</b> Other operators (private pest control companies, water supply or canal companies, or other large operators whose discharges exceed the thresholds);</p> <p><b>Operator Group 4:</b> Operators involved in a “declared pest emergency situation.”</p>									
<p><b>Vermont</b> (EPA Region 1)</p>	<p>Four categories of pest control:                      (1) Mosquito &amp; other flying insects;                      (2) Weed, algae and pathogens;                      (3) Animals in surface water;                      (4) Forest canopy</p>	<p>Yes, for entities that are not decision makers or do not exceed annual treatment thresholds. Entities must submit an NOI and request coverage if they are a federal or state agency, mosquito control district, or similar pest control district, irrigation and weed control districts, or other entities that exceed annual treatment thresholds.</p>	<p>Thresholds do not apply to Decision-makers with an eligible discharge to a Tier 3 water, or to any federal or state agency with pest control responsibilities, irrigation districts, mosquito control districts, or resource management districts.</p> <p>Annual treatment area thresholds for triggering NOI submission and full PGP compliance requirements apply for those public and private entities (not described above) making pesticide application decisions for:                      6,400 A/yr land (mosquito adulticides &amp; forest canopies);                      80 A/yr water (weeds, animals);                      20 linear miles/yr at water’s edge (weeds, animals).</p>	<p>Large Decision-makers: submit an NOI; conduct IPM; develop PDMP; monitoring &amp; surveillance; extensive recordkeeping; submit an annual report</p> <p>Small Decision-makers (public entity servicing &lt;10,000 citizens, or private entity with &lt;50 employees earning &lt;\$7 million annually): submit an NOI, IPM, reduced recordkeeping (not required to develop a PDMP or annual report)</p> <p>For purposes of determining total annual treatment area, multiple applications to a given area are each to be counted as part of the total cumulative area per year for mosquito and forest uses, but multiple applications to the same location are counted only once during a year for aquatic weeds, animals.</p>	<p>No delay for automatic coverage, or for others making applications in response to a declared pest emergency.</p> <p>No delay for Decision-makers whose discharges begin before January 9, 2012</p> <p>If a Decision-maker submits an NOI after January 9, 2012, they are reauthorized to discharge no earlier than 10 days after EPA posts on the internet the receipt of a complete and accurate NOI</p>	<p><b>Waters of the State.</b></p> <p>DEC states that delineated Waters of the State may or may not be wet at the time of discharge; however discharges to such are still considered discharges to “Waters of the US” and would be required to obtain NPDES coverage (Appendix A, Definition of Waters of the US, p. G 7-8).</p>	<p>Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; assess weather conditions; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report adverse incidents; report noncompliance or spill greater than RQ or adverse incident; keep records; comply with all applicable statutes and regulations.</p>	<p>DEC will evaluate any additional permit terms or conditions included by EPA in its final EPA permit and, if appropriate, may include similar additional terms and conditions in Vermont’s PGP.</p>	<p>Discharges to Outstanding Resource Waters may only be made under this permit to restore or maintain water quality or to protect public health or the environment that do not degrade water quality or only degrade water quality on a short-term or temporary basis (socioeconomic justification test).</p>	<p>Link to <a href="#">Vermont</a> final permit</p> <p>Cary Giguere VT DEC 802-828-6531</p>

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<b>Virginia</b> (EPA Region 3)	Four categories of pest control: (1) Mosquito & other flying insects; (2) Weed, algae and pathogens; (3) Animals in surface water; (4) Forest canopy	Yes, automatic coverage for all	6400 A land (mosquitoes & forests); 80 A water or 20 miles water's edge (weeds, animals)	Annual thresholds only trigger requirement for an operator to develop a PDMP and maintain specific records for each pesticide applied; activities required of all permittees	None	Surface <b>Waters of US</b> within the state, as well as conveyances with surface hydrologic connection at time of discharge.	Minimize discharges; use lowest effective product amount; install cut-off valves to allow passage over nontarget areas without contaminating them; install anti-backflow devices on all pumps, hoses or other equipment; perform maintenance and calibrate equipment; monitor operations; <b>perform IPM</b> ; conduct spot checks for adverse incidents; perform corrective actions; comply with all applicable statutes and regulations.	Must report any adverse incident to threatened or endangered species or critical habitat	All operators are automatically covered but must conduct IPM. Only operators exceeding annual treatment thresholds must develop a PDMP.	Link to <a href="#">Virginia</a> final permit  Bill Norris 804-698-4022

## State Pesticide NPDES General Permits

State	Covered Uses	Automatic Coverage?	Annual Thresholds	If Thresholds Exceeded	Delay Before First Discharge	Water Included	Minimum Activities All Permittees Must Do	ESA Considerations	Other Considerations	Permit Status
<b>Washington</b>  (EPA Region 10)	Five categories of pest control, each covered by a separate permit: (1) Mosquito control, both larvicides and adulticides; (2) Aquatic plant and algae in freshwater, shoreline, roadside ditches; (3) Aquatic plants in irrigation systems; (4) Aquatic noxious weeds in streams, wetlands, shorelines; (5) piscicides (invasive fish control in lakes and ghost shrimp control on mudflats).	No automatic coverage	No thresholds	NOI, IPM, various plans and notifications, annual reports, monitoring, recordkeeping. A PDMP and State Environmental Policy Act Addendum are required for applications for coverage under the aquatic plant and algae management permit.	If applicant doesn't receive notification of state's decision by 61 <sup>st</sup> day after state received the NOI, then coverage begins.	<b>Waters of the State,</b> excluded are man-made detention ponds that do not discharge; upland farm ponds that do not discharge for 2 weeks follow treatment; any constructed water body 5 acres or less with no discharge for 2 weeks following treatment; any noxious weed control activities conducted on seasonally dry land surfaces or wetlands as long as the active ingredient is not biologically active when water returns; any R&D activities under a state experimental use permit (under 1A)	Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; submission of reports & notifications; comply with all applicable permit requirements, other statutes and regulations. Submit an NOI at least 60 days (90 days for irrigation system permit) before application; publish a public notice in a local newspaper twice, one week apart, and wait for the state to take public comments for 30 days. For some pesticide uses, applicant must submit an IPM plan that meets state requirements that will be viewed by the public during the public comment period. Similarly, a spill plan for pesticide storage and application sites is required to be submitted for some pesticide uses.	The permit lists areas of restricted pesticide use due to presence of state species of concern, including ESA species.	Mosquito control permit does not apply to homeowner use of residential pesticides; Permittee must publish a public notice at least 10 days before the first pesticide application of the season, and must post notices at all reasonable points of public ingress and egress to the treatment areas when applying larvicides with water-use restrictions. Approved larvicide products contain: <i>Bacillus sphaericus</i> , <i>Bacillus israelensis (Bti)</i> , Malathion, Methoprene, Thuringie, Monomolecular surface films (MSF), paraffinic white mineral oil, Spinosad, Temephos. The permit lists approved products for each permitted use, and also lists approved adjuvants. Specific requirements for several of these are listed in the permit. Restrictions apply to applications on weekends or near holidays in populated areas, and other restrictions, including posting and notification, monitoring requirements, with sampling and analytical procedures specified, reporting and recordkeeping. Each has restrictions and advisories that apply, including posting and pretreatment notification of residences and of businesses within 1/4 mile in each direction.	Link to <a href="#">Washington</a> final permits  Jon Jennings WA DoE 360-407-6283  Or Kathy Hamel WA DoE 360-407-6562

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<b>West Virginia</b>  (EPA Region 3)	Coverage is available for (1) Mosquitoes & other flying insects; (2) Aquatic weed and algae control; (3) Aquatic animal pest control; (4) Forest canopy pest control	Yes, minor pesticide discharges (below annual thresholds) are automatically covered and have minimum compliance requirements. Applicators and decision makers are treated equally under this permit	6400 A land treatment area (mosquitoes & forests); 80 A in water or 20 miles at water's edge (weeds, animals) in a calendar year	Submit an NOI, develop and implement PDMP, conduct IPM, develop and maintain on site a groundwater protection plan (GPP) and spill prevention control and countermeasures plan (SPCC).		Surface <b>Waters of State</b> within the state, as well as conveyances with surface hydrologic connection at time of discharge. Tier 3 waters are not included under this permit.	Minimize discharges; use lowest effective product amount; regularly perform maintenance and calibrate equipment; monitor operations and equipment; <b>perform IPM</b> ; conduct spot checks for adverse incidents; perform corrective actions; comply with all applicable statutes and regulations; maintain good housekeeping at the facility grounds.	No direct reference; Permittees must comply with all applicable statutes and regulations	The definition of operator includes those who <b>control financing for</b> or the decision to perform pest control activities that exceed one or more of the annual treatment are thresholds, as well as applicators that exceed those thresholds.	Link to <a href="#">West Virginia</a> final permit  Yogesh Patel WV DEP 304-926-0499 x1014
<b>Wisconsin</b>  (EPA Region 5)	Four separate permits for the following categories of pest control: (1) Mosquitoes & other flying insects; (2) Nuisance or invasive aquatic or wetland plants and algae; (3) Aquatic animals; (4) Forest canopy pests  The individual permits follow the same general format, but there are unique differences within each permit that are specific to the types of chemicals used, pests encountered, and extent of requirements.	No automatic coverage is available; all must submit an NOI to gain coverage.  However, when the treatment area is confined to a private pond or wetland area located entirely within the property boundaries of the permittee, there is no public access during the treatment period, and the permittee can control any overflow to prevent discharge of the pesticide beyond the treatment area, permittees are exempt from development of PDMP, certification of PDMP completion, and submission of an annual report.	10 A/yr or 1 lineal mile of shoreline/yr (after January 1, 2012)	PDMP and IPM plans developed and implemented; written certification submitted documenting the completion of PDMP and IPM; submission of annual report.  Discharges from mosquito larvicide or adulticide treatments also require annual ambient water quality monitoring unless waived by state.  Beginning January 1, 2012, PDMP implementation must be documented prior to discharge.	Must await written authorization from WPDES.  A pest control activity in operation prior to April 1, 2011 must submit an NOI no later than 1 month after the effective date of the permit.	<b>Waters of the State</b> , including those areas of Lake Michigan and Lake Superior within the boundaries of WI, as well as all lakes, rivers, streams, springs, ponds, wells, impounding reservoirs, bays, marshes, drainage systems and other surface water or groundwater, natural or artificial, public or private, except those waters which are entirely confined and retained completely upon the property of a person.	Ensure that a pesticide applicator properly licensed and certified by Wis. DATCP uses or directs the use of pesticides. Minimize discharges; use lowest effective product amount; perform maintenance and calibrate equipment; monitor operations; identify characteristics of the pest problem and establish action threshold densities for the target pest; conduct IPM considerations of alternatives to pesticide use; assess environmental conditions; conduct spot checks for adverse incidents; perform corrective actions; report noncompliance, upset, or spill greater than RQ; keep certain records; keep copy of permit; comply with all applicable statutes and regulations	No mention in aquatic weed or aquatic animal control permits.  The forest canopy pest control permit requires protection of endangered and threatened resources, including the Karner Blue Butterfly. Treatments to control forest caterpillars shall be consistent with any endangered species Habitat Conservation Plan.	Specific approved pesticides are identified in the separate permits for each covered use.  The permittee may discharge a pesticide active ingredient not listed in the permit on a limited basis for research through the issuance of an Experimental Use Permit, or if exempted from a EUP, must follow all other requirements of the permit.  Any ambient water quality monitoring needed to evaluate an excess or residual pesticide discharge will be specified in the state approval issued to the permittee.  Contains the effluent limitation <b>"The permittee shall comply with FIFRA pesticide label requirements"</b>	Link to <a href="#">Wisconsin</a> final permits  Jeff Brauer, WI DNR Not 608-267-7643
<b>Wyoming</b>  (EPA Region 8)	<u>Major Pesticide Discharges:</u> Five categories of pest control are covered: (1) Mosquito & flying insects;	Yes, minor pesticide discharges (below annual thresholds) are automatically covered	<u>Mosquitoes &amp; other flying insects:</u> 640 A for larvicides; 6400 A for adulticides	Submit an NOI; develop a Pesticide Pollution Prevention Plan (P4); implement a modified IPM	No delay for automatic coverage under Minor Discharge	<b>Waters of the US</b> including conveyances with a hydrologic surface connection at the time of	Prepare procedures to identify when action levels have been met that necessitate the use of pesticides; Assess environment	Assumes compliance with federal, state and local laws.	Applicators submitting an NOI during the calendar year 2011 must have their P4 completed prior to December	Not final yet.  Link to <a href="#">Wyoming</a>

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	<p>(2) Weed &amp; algae in water or at water's edge;                      (3) Nuisance animals in water or at water's edge;                      (4) Forest canopy;                      (5) Opt-In category to address pesticide use patterns not specifically addressed above.</p> <p><u>Minor Pesticide Discharges:</u>                      Four categories of pest control are covered:                      (1) Mosquito &amp; flying insects;                      (2) Weed &amp; algae in water or at water's edge;                      (3) Nuisance animals in water or at water's edge;                      (4) Forest canopy.</p> <p>Activities not covered include, among others, pesticide applications that would otherwise be in violation of any requirement of FIFRA or not in conformance with the pesticide label instructions.</p>	<p>and have minimum compliance requirements (detailed in column 8).</p> <p>Operators in this category include operators either that do not exceed thresholds or own/operate a for-hire "small" business, as identified by NAICS (see column 9)</p> <p>Automatic coverage is <u>not</u> available for (1) anyone applying any pesticides to a Class 1 water of the state regardless of the size of the area treated or amounts applied; (2) applicators that are an owner/decision maker/resource manager and are acting as their own applicator or direct their own people/employees to make the pesticide applications and will exceed the treatment areas for any single treatment area thresholds; or (3) for-hire applicators that applies pesticides at the request of others and will exceed one or more of the treatment thresholds for any single treatment area.</p>	<p><u>Weeds &amp; algae, Nuisance animals</u> in water: 80 A</p> <p><u>Weeds &amp; algae, nuisance animals</u> at water's edge 20 linear miles</p> <p><u>Forest canopy:</u> 6,400 A</p> <p><u>Opt-In:</u> there are no minimum thresholds; all are required to submit an NOI</p> <p>An applicator must submit an NOI if any single application exceeds one or more of the thresholds. Multiple applications over the same area are not cumulative.</p>	<p>process; submit an annual report</p>	<p>Permit.</p> <p>Major Dischargers must submit an NOI at least 30 days prior to the first discharge, and await written notification from DEQ/WQD, except in the event of a declared Public Health Emergency.</p>	<p>application.</p> <p>Laterals, canals, or ditches that do not drain or return water to "waters of the US" within Wyoming are not included.</p> <p>Pesticide applications that are performed "in-the-dry" need not be counted toward the thresholds.</p>	<p>conditions prior to application: Minimize discharges; Use lowest effective product amount; Perform maintenance and calibrate equipment; monitor operations; Monitor applications; Keep records; Take steps to minimize any adverse impact resulting from noncompliance with the permit; Keep certain records; Keep copy of permit; Comply with all applicable statutes and regulations; Control applications to meet applicable numeric and narrative water quality rules and regulations; Conduct spot checks for adverse incidents; Perform corrective actions; Report noncompliance, upset, or spill greater than RQ.</p>		<p>31, 2011.</p> <p>Notification is required if changes are made such that discharges of toxic substances will occur that exceed specified levels on either a routine or non-routine basis (different thresholds for these). These include, but are not limited to, discharges of acrolein, acrylonitrile, 2,4-dinitrophenol, 2-methyl-4,6-dinitrophenol, antimony.</p> <p>Permit reopener provision is included.</p>	<p>draft permits</p> <p>Marcia Porter                      WY DEQ                      307-777-6081</p> <p>Or Roland Peterson                      WY DEQ                      307-777-7090</p>