

STATEWIDE GENERAL NPDES PERMIT FOR THE DISCHARGE OF AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL IN WATERS OF THE UNITED STATES

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On March 12, 2001 the Ninth Circuit Court of Appeals decided that the discharge of aquatic pesticides to waters of the United States (U.S.) required coverage under a National Pollutant Discharge Elimination System (NPDES) Permit. In response to the ruling, the State Water Resources Control Board (State Board) adopted an emergency General NPDES Permit for discharges of aquatic pesticides to waters of the U.S. That permit expired on January 31, 2004. On May 20, 2004 State Board adopted two General NPDES permits. General Permit No. CAG 990005 covered the discharge of aquatic pesticides for aquatic weed control and General Permit No. CAG 990004 covered the discharge of aquatic pesticides for vector control. Basic requirements of the General Permits include: 1. The applicator must follow all pesticide label instructions and any Use Permits issued; 2. The discharger must be licensed by DPR or work under the supervision of someone who is licensed if the aquatic pesticide is considered a restricted material; 3. The discharger must comply with effluent limitations including developing and implementing an Aquatic Pesticide Application Plan (APAP); 4. The discharger must comply with applicable receiving water limitations; and 5. The discharger must comply with monitoring and reporting requirements. To seek coverage under the General Permits, a Notice of Intent must be completed and submitted to the Regional Water Quality Control Board, along with the filing fee, APAP, map(s), and other supporting documents, if any. Copies of the General Permits and additional information regarding the program are posted on the State Board website at www.waterboards.ca.gov.